

फाइल सं०
File No. I/12014/13/2000-ISTD-IV

खण्ड
Volume III II (C.M. am)

भारत सरकार
GOVERNMENT OF INDIA
गृह मंत्रालय
MINISTRY OF HOME AFFAIRS

अनुभाग

Section

टिप्पणियां/पत्राचार

NOTES/CORRESPONDENCE

को सूचीकृत की गई

Indexed on

आद्याक्षर

Initials

अभिलेख क/ख

Record A/B

अभिलेख ग में नष्ट गए

Record C Destroyed in

नोट किया जाए

नोट न किया जाए अनुभागीया नोट बुक

To be noted

Not to be noted In Sectional Note Book

अनुप अ०/अधीक्षक के हस्ताक्षर

Initials of S.O./Supdt.

लिपिक के हस्ताक्षर

Initials of Clerk

विषय

SUBJECT

Orders / directions passed by Justice
Mukherjee Commission of Inquiry -
Compliance thereof by MHA etc.

पिछले हवाले

Previous References

बाद के हवाले

Later References

202
89

①

MINISTRY OF HOME AFFAIRS
IS(D.III) DESK

Sl. No. 1 (R) p. 1-3/cor.

Mukherjee Commission of Inquiry referred a xerox copy of correspondence P. 153 of PMO's secret file No 2(64)/56-68 -PM and desired that an authenticated true copy of the news which claimed that Netaji's Subhas Chandra Bose had spoken from Moscow Radio after the Taskent Agreement.

In this connection it may be mentioned that we have already intimated in Status Report of April & May that no such information is available in Ministry of Home Affairs. Hon'ble Commission has been requested to obtain this information from the Ministry of External Affairs vide para 10 P. 355.

Sl. No. 2 p. 4-7/cor.

Mukherjee Commission of Inquiry have sought action taken report on the letter dated 15.10.70 of Shri M.L. Sondhi, MP, Lok Sabha addressed to Shri V.V. Giri referred at correspondence P. 177 & 177A of Prime Minister Office's Secret File No. 2(64)/56-68-PM.

In this connection we have mentioned in the Status Report of May that no such paper are available in the Ministry of Home Affairs and Hon'ble Commission may get in touch with the Ministry of External Affairs or PMO to obtain information in this regard. As such no action is called for on our part.

Sl. No. 3 p. 8-10/cor.

Mukherjee Commission have also sought action taken report regarding verification of the news of imprisonment of Netaji in Russia as mentioned in correspondence P. 112 of Secret File No. 2(64)/56-68-PM of PMO.

✓ In this regard we have already intimated through Status Report of May that no records is available in the Ministry of Home Affairs. The Commission has been suggested that information in this regard may be obtained from Ministry of External Affairs/PMO.

Sl. No. 4 p. 12 & 13/cor.

Mukherjee Commission have also sought Volume Nos. XVIII, XIX and XXII and other Volumes pertaining to Khosla Commission and other relevant files/documents as shown in the affidavit dated 19.12.01 of JS(IS-I).

In this connection we have mentioned in the Status Report that detailed list of records/documents /books etc.

-2-

pertaining to Netaji Subhas Chandra Bose available with this Ministry were enclosed in the affidavit dated 19.12.01 filed on behalf of Ministry of Home Affairs. The result of further efforts have also been communicated to the Hon'ble Commission vide our UO dated 11.4.02 P.358/cor. *J. Vol II*

As such no further action is called for on our part.

Sl. No. 5 *p. 14-16/cor.*

Mukherjee Commission have also sought documents or authenticated copy referred at correspondence at P. 16 to 20 of Secret File No. 2/64/78-PM of PMO relevant to d.o. letter dated 3.2.78 of Shri R.C. Mazumdar addressed to Shri Morarji Desai, the then Prime Minister of India.

In this connection we have already mentioned in the Status Report of May that relevant documents in this Ministry may have been perused but no such record appears to be available in this Ministry. The Commission have been advised to obtain such information from PMO in the matter.

Sl. No. 6 *p. 17 & 18/cor.*

MOST URGENT

Put up on file
Sd/- Dir(IS-I)
5/8/02

Mukherjee Commission has intimated that no counter affidavits has been received by the Secretaries, Ministry of External Affairs, PMO, Cabinet Sectt., Ministry of Defence, DIB, DGNA and given notices of four weeks from the date of receipt of this letter for submission of affidavit.

In this regard we have already mentioned in the Status Report of May that no action is pending in so far as this Ministry is concerned. As such no action is called for on our part at this stage.

Sl. No. 7 *p. 19-31/cor.*

FR under submission is a Status Report from 1.6.02 to 30.6.02 furnished by Justice Mukherjee Commission of Inquiry which is self explanatory.

Submitted for information please.

M. S. Zuhra
6/8/02
(M.S. ZUHRA)
DESK OFFICER

2959/Dir(CS-2)/02
6/8

US(D.II)

Director (IS I)

US DIV

Pl. speak

6/8

MHA/IS(D.III)

S.No. 8 TO 13

Preceding note at P 1 and 2/ante may also be seen.

S.NO. 8 p. 32-34/cor.

Justice Mukherjee Commission of Inquiry has once again sought action taken report on the points raised by Shri Samar Guha in his D.O. letter dated 21.9.73 received from PMO. In this connection it maybe mentioned that vide para 14 of our status report of March, April and May 2002 the Commission has already been informed. As such no further action is called for on our part.

S.No. 10 p. 37-47/cor.

Justice Mukherjee Commission of Inquiry has also sought action taken report on the joint representation made by Shri Triguna Sen, Shri Amiya Kumar Mazumdar and Shri Aurobindo Nath Bose received through President Sect. and PMO vide their letter dated 8.4.93 regarding investigative inquiry into the disappearance of Netaji Subhas Chandra Bose.

Relevant records in this Ministry have been perused but no such papers/records appears to be available in this Ministry. We may request Hon'ble Ccommission to consult PMO in the matter.

S.NO. 11 & 12 p. 48-84/cor.

The Commission has submitted its status report from 1.7.02 to 31.7.02 which is self explanatory and may kindly be perused at FR at S.No. 12. On perusal of the status report from 1.7 to 31.7.02 it appears that no action is called for at paras 1,2,3,5,6(a) to 6(f), 7,9,11,12,13,14,15,16,19,20,22 and 23.

Paras 4,8,10(a),17,18.21 are concerned of this Ministry.

PARA 4

The Commission has reminded counter affidavit or affidavit in opposition of the Ministry of Home Affairs in respect of averments/contentions/allegations contained in the affidavit/supplementary affidavits within 4 weeks failing which it would be presumed that this Ministry did not want to file any counter affidavit or affidavit in opposition. It is submitted for orders whether any counter affidavit is required to be filed on behalf of this Ministry.

PARA 8

The Commission has also asked for authenticated true copy of the papers/documents concerning Sl. Nos (ii),(iii),(iv),(v) and (vi) of para 1 of letter No. 281/12/1/2000-TS dated September 19m2001 of the Cabinet Secretariat, Govt. of India. In this connection we may inform that requisite document may be obtained from Cabinet Sectt. directly.

Contd p. 4/n.

PARA 10(a)

Since we have already mentioned the position in our status report vide para 5 thereof no further action is called for on our part.

PARA 17

Since no relevant papers/records are available with us we may request the Commission to obtain such papers from PMO.

PARA 18

The Commission has sought the judgement order dated 4.3.87 of the Rajasthan High Court as some documents received from Ministry of External Affairs which are under process is to be made available to the Commission separately.

PARA 21

The Commission has also sought a report about treaty signed /ratified by the Govt. in 1971 regarding trial of war criminals. In this connection it may be mentioned that we have taken up this matter with Ministry of External Affairs that such reports if available with them may be made available to the Commission under intimation to this Ministry. The report is still pending with Ministry of External Affairs. We had sent a reminder on 16.8.02.

Submitted please. Also advise whether action at 'A' is required to be taken or not. This has to be discussed with JS (IS).

8433/Dir(15-1)/02
20/8

Pl. speak
at PM history
in the matter
12
20/8
DO DIT

US DIT on leave
DIR(15-1)

M. S. Zuhra
20/8/02
(M.S. ZUHA)
DESK OFFICER

Discussed with DO DIT-
Put up draft reply as discussed

DO DIT

20/8/02

Discussed with Dir (15-1)

A draft reply placed below
may kindly be seen before issue.

Dir (15-1)

Pl. route through US DIV

M. S. Zuhra
27/8/02

DO DIT

Amended draft is 12
for approval please. 27/8

Director (15-1)

S. R. Sharma
28/8/02

8725/Dir(15-1)/02
28/8

Pl. discuss point
wise
DO DIT/US DIV
20/8

Pl. link the paras mentioned in the status report with letters quoted by JMC1 therein.

~~DODIV~~

12/9/02

As discussed pl. link up pps & put up a draft with letter dated 11/9/02. status report will be examined later. 219/02. the latest report. 12/9/02. Sh. Zulraj.

~~DODIV~~

Ref. note above.

A fair draft to cab. sectt. is placed below for sign. & issue.

May also please see 12/9/02 for approval.

US-DIV

12/9/02

9317/DIV(US)/a
12/9/02

Director (SE)

US-DIV

12/9/02

~~DODIV~~

Please view 12/9/2002

6

MHA/IS(D.III)

Justice Mukherjee Commission of Inquiry has submitted two Status Report viz. July 2002 and August, 2002. On perusal of the status report dated July, 02 it appears that para 4, 8, 10(a) and 17 are similar to para 5, 9, 16(a) and 14 of the status report August, 2002 which are the concern of this Ministry.

Para 4 & 5 of Status Report July 02 and August 02 respectively.

The Commission has reminded for counter affidavit or affidavit in opposition of the Govt. of India in response to averments/ contentions/ allegations concerning them as incorporated in the affidavits/supplementary affidavits filed by Shri J.C. Bose and eight others.

In this regard we have already mentioned in the Status Report of May 02 that no action is pending so far this Ministry is concerned. In fact the Commission has already been informed vide affidavit dt. 19.12.01(P.227/C) that in so far as affidavits/ supplementary affidavits of some deponents including affidavit dated February 17, 2000 and two supplementary affidavits dated July 28, 2000 and August 25, 2000 filed on behalf of Jyoti Chand Basu and 8 others averments/allegations made therein were the matters of records and subject to the consideration by the Hon'ble commission. We may inform Commission accordingly as per DPA I.

Para 8 & 9 of the Status Report July & August 02 respectively

The Commission has also asked for authenticated true copy of the papers/documents concerning Sl. Nos. (ii), (iii), (iv), (v) and (vi) of para 1 of letter No. 281/12/1/2000-TS dated September 19, 2001 of the Cabinet Sectt.

In this connection it may be mentioned that the entire position has already been submitted to the Commission through this Ministry's affidavit dated 27.2.01 (P.55/C). In this connection relevant notes at P. 33 & 42/ante may kindly be seen.

Para 10 & 16

The Commission has already been communicated the factual position vide para 5 of our Status Report of May 2002 (Flag XX.).

Para 17 & 14 of Status Report July and August 02 respectively

The Commission has also asked for action taken report on the letter dated 22.3.93 of Dr. S.D. Sharma, the then President of India and the letter dated 13.3.93 addressed to Shri P.V.Narsima Rao, the then Prime Minister of India.

The said reference was received in this Ministry which is available in File No. 12014/3/93-IS(D.III). According to our records, it appears that the above receipt /reference received from PMO was subsequently sent to Ministry of External Affairs for appropriate action. We have not received any reply from MEA in this regard. If agreed to we may advise the Commission to contact MEA that the said reference received from PMO was subsequently sent to MEA vide this Ministry's letter No. 12014/3/93-IS(D.III) dated 17.5.93. (copy enclosed) with copy to MEA as per DFA.

The JMCI has also asked for the copy of the answer to the Lok Sabha Starred Question Dy. No. 3424 raised by Shri Samar Guha during 1974. In this connection PMO has intimated that the **notice** of the question Dy No. 3424 was transferred to this Ministry on 21.2.74 for acceptance (P. 119) along with material as NIL vide P. 121. Perusal of the documents furnished by the PMO , it reveals that the Question at notice stage was transferred to this Ministry for acceptance but it is not clear whether this question was ever admitted as starred or unstarred question. Moreover we have once again checked our own records afresh but nothing could be traced.

@ P/2

~~US-DII~~
DIR(IS-I)

Please put up draft response w.r.t. 'A' overleaf and submit.
25/9/02

[Signature]
24/9/02
(M.S. ZUHA)
DESK OFFICER

~~DO (III)~~

Ref. note above

A draft for affl. pl.

~~US-DII~~

Preceding note explains. Submitted for approval.

[Signature]
27/9/02
B.R. Ginnery
27/9/02

Director (IS-I)

Pl. discuss with DIR (IS-II) who is now in charge of IS-V (earlier DO DII).

~~US-DIV~~
IS-V

Maybe submitted to Dir (IS-II).

[Signature]
27/9/02

1544/Dir (IS-II) 02
1/10

Agree to
Re. from
2. Then by the order
was of them.

DO (IS-II)

In reply

27/10

MHA/IS(V)

Reference preceding note, at B and C my please be perused.

Since no record is available with us, we may inform the Commission as per D.F.A.

M. S. Zuhairi
(M.S. ZUHA)
DESK OFFICER

Dir (IS-11)

M. S. Zuhairi


23/10/02
Dr (on duty)

Ministry of Home Affairs
IS(D.V)

.....

Reference FR

Since the records relating to Khosla Commission which required to be examined by the officer of the Commission is available in Secret Record Room, we may inform the Commission to depute an officer as and when they feel convenient. A D.F.A is placed below. *which may kindly be seen before issue.*


(M.S. ZUHA)
DESK OFFICER

Dir (IS-II)

81. 1000

1000

30/10

DD (M. S. Zuhra)

Ministry of Home Affairs
IS(D.V)

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In this file we are dealing with the matter relating to Justice Mukherjee Commission of Inquiry. Today in the meeting JS(IS) desired that JMCI be advised to furnish a detail report relating to Japan's visit of Commission. It was also decided that the Commission may also be requested to intimate the deadline within which the Commission is expected to submit its final report.

Accordingly a DFA is placed below for approval.

M. S. Zuhra
13/11/02
(M.S. ZUHA)
DESK OFFICER

1742/Dis(15-8)02
13/11

Dis(15-8)

M. S. Zuhra
13/11

DD (M. Zuhra)

We may expect discussions in the ensuing session on Justice Mukherjee Commission of Inquiry for which we should have updated information. Letter (DFA) placed below is to the Commission to provide us the feedback may kindly see before home.

JS(15)

M. S. Zuhra
In this letter also indicates the position regarding the records to be made available by the MHA (The Commission should not make non-availability of records on the ground for further extension.)
13/11
to 14/11

DD(15-8)
14/11

DD(15-8)

Reference note on pre-page

A D.F.A is placed below for approval please.

[The following text is mirrored bleed-through from the reverse side of the page and is largely illegible due to the diagonal line and fading. It appears to be a formal letter or report.]

[Faint signature and stamp visible on the left side of the page.]

[Faint signature and stamp visible on the right side of the page.]

[Faint signature and stamp visible at the bottom left of the page.]

[Faint signature and stamp visible at the bottom right of the page.]

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Ministry of Home Affairs
IS(D.V)

.....

FR may kindly be seen.

The Commission has requested for the following documents/files:

- i) PMO F.No. 12(226) – 56/PM
- ii) F.No. 10/22/CF-68 – regarding issue of commemorative stamps/coins of Netaji Subhas Chandra Bose on 21/10/1968 on the occasion of silverjubilee of the Azad Hind Government.
- iii) F.No.6/5/9/77-CF – containing Cabinet decision on 17/9/77 reg. Motion in the Lok Sabha by Shri Samar Guha for a fresh inquiry into the disappearance of Netaji Subhas Chandra Bose.
- iv) F.No.10/21/CF – 68 – containing cabinet decision on 6/3/70 reg. fresh inquiry into the alleged death of Netaji Subhas Chandra Bose – Demand - for.
- v) F.No.6/1/6/74 – containing cabinet decision on 29/8/74 reg. the report of the One Man Commission of Inquiry into the disappearance of Netaji Subhas Chandra Bose.
- vi) F.No.6/5/1/91 – TS – containing CCPA decision on 27/2/91 on dispute reg ashes of Netaji Subhas Chandra Bose and also controversy about whether Netaji is dead or still alive.

Documents at Sl.No.1 above has already been made available to the Commission directly on 28/8/2000 as indicated in the FR.

In regard to other documents except document at Sl.No.2 above which originated from Ministry of Finance, D/o Economic Affairs, the rest of the documents emanated from Ministry of Home Affairs. Hence Ministry of Home Affairs was required to examine the position with reference to these documents with a view to deciding whether they can be de-classified and made available to the Commission. Accordingly the position with regard to these documents were checked up and documents mentioned at Sl.No.iii, v, and vi were found in the following files which had already been made available to the Commission on 20/12/2000 (page 243 Vol.II).

- a) F.No.I/12014/9/77-D.III relating to 'No day yet named motion' regarding report No.74 of the Commission of Inquiry into the disappearance of Netaji Subhas Chandra Bose.
- b) F.No.I/12014/6/90- IS(D.III) – dispute reg. ashes of Netaji Subhas Chandra Bose- bring these ashes to India – contraovsry whether Netaji still alive.
- c) F.No.31/2/74-Poll (D.III) – Netaji Commission – follow-up action.

About the document at Sl.No.4 above the relevant F.No.29/48/69 – Poll-II has not been available However the extract of the Cabinet Note (page 251-252) Vol.I which has since been de-classified can be made available to the Commission as per DFA-I

In regard to document at Sl.No. 2 which pertains to Ministry of Finance to whom we have requested to communicate their views whether the said Cabinet Note can be declassified or has to be retained as classified. Since no reply appears to be received if approved to we may request D/o Economic Affairs to communicate their view to the Commission under intimation to this Ministry as per DFA - II.

M. S. S. S.
27/11/02

Dir (IS-II)

Since the records mentioned as 'X' on pre-page have already been sent to the commission, why we are being insisted on to send the same again? kindly place vol II or copy of the note whereby such records were sent.

A

Regarding 'Y' it is not clear as to the source which has made the note declassified.

Very clarist.

M. S. S. S.
28/11

Doc (in index)

Ref. note at 'A'

In this regard, ~~our~~ relevant affidavit at pp. 55-60/cv (vol II) will explain the position.

As far 'B' is concerned, the said document placed at p. 22/cv (vol II) was declassified vide p 39/note (vol II) Submitted pl.

Dir (IS-II)

M. S. S. S.
3/12/02

1773/Dir (IS-II) ~
28/11

The notes on pre-page may kindly be perused.

The documents mentioned at (i), (iii), (vi) have already been made available to the commission on 20.12.00.

@
P. 243/c
v. 112

About the documents mentioned at para 2 (v), the relevant file is not available though the extract of cabinet note is available (enclosed with the dfa-I).

Regarding documents at para 2 (ii) regarding the issue of commemorative stamp, the matter belongs to Ministry of Finance, Dept. of Economic Affairs.

Accordingly we may write to the commission and Dept. of Economic Affairs as DFA I and II.

May kindly see before him.

M. K. Chatterjee

JSC (13) - If certain documents/records have already been made available to the Commission, why are they again asking for them? Is there any communication gap? M. check up.

Pl. reconfirm that all the documents proposed to be given are de-classified.
for min. P1

M. K. Chatterjee

18/12

21/12/12

19/11

Dr. C. M. V. (M)

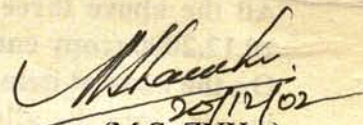
1860/Dil (158) D2
17/12

Reference note on pre-page

With regard to the observation of JS(IS)'s as to 'Is there any communication gap', it is stated that we have been interacting with JMCI on regular basis and have been furnishing information/documents /files as per their requirements of course subject to their availability in the Ministry. As and when Commission wants any documents, a vigorous search is taken place and only then Commission is apprised of the factual position or whereabouts of such documents accordingly. Moreover, Commission has already been furnished a detailed list of documents relating to Netaji Commission and Khosla Commission but Commission always insist for those records which neither has been indicated in our list of available records nor have any direct bearing in Inquiry work.

In regard to JS(IS)'s query regarding de-classification of documents proposed to be sent to Commission is concerned, it may be mentioned that the said documents lying at PP222/C (Vol-I) has already been declassified vide 'X' at P.39/ante of Vol-I. As such their should have no objection if the proposed two Drafts placed below be allowed to be issued.

Submitted please.


(M.S. ZUHA)
DESK OFFICER

DIRECTOR(IS-II)

JOINT SECRETARY(IS)

Reference JS(IS)'s query on prepage.

The Commission required the documents from i) to vi) as mentioned on page 12/ante.

Item No. ii) is regarding issue of commemorative stamps/coins of Netaji Subhas Chandra Bose on 21/10/68 on the occasion of silver jubilee of Azad Hind Government. As stated in the Affidavit filed by the then JS(IS-I), Smt. Goirala, with the Commission, this document originated from Ministry of Finance, Department of Economic Affairs and the reference to the effect was made to that Ministry on 8.11.2000 and various reminders have been issued on the issue as to whether the said document could be declassified. *Therefore, a reminder could be issued to Ministry of Finance, with a copy endorsed to the Justice Mukherjee Commission. (DFA -II).*

However, items at Sl. Nos. iii) is regarding the Cabinet decision on 17.9.77 on a Motion in the Lok Sabha by Shri Samar Guha for a fresh inquiry into the disappearance of Netaji Subhas Chandra Bose;

v) is regarding cabinet decision on 29.8.74 on the report of the 'One Man Commission of Inquiry in to the disappearance of Netaji' and

vi) is regarding CCPA decision on 27.2.91 on dispute regarding ashes of Netaji and also controversy about whether Netaji is dead or still alive)

All the above three documents were sent to the Commission, way back on 20.12.2000.(copy enclosed)

On the issue at item no. iv) regarding the cabinet decision on 6. 3.70 for fresh inquiry into the alleged death of Netaji Subhas Chandra Bose, the relevant file No. 29/48/69-Poll-II has not been available. This fact was also conveyed to the Commission in the Affidavit mentioned above. But as mentioned on page 5 of the Affidavit, the contents of the Cabinet Note had been gone into and MHA had no objection to its de-classification and production before the Commission. This extract of the said cabinet note had been forwarded by the PMO to MHA on 10.11.2000 with a request to confirm its declassification. It has already been declassified as per the affidavit filed(item 'd', page 5). But the date of the decision is not 6.3.70 but 18.2.1970 though every thing else is same. The Commission must be referring to this decision.

It is therefore, submitted that in this case the Commission may be intimated that this decision of the cabinet pertains to 18.2.70 and the copy thereof could be sent to them.

In nutshell, except the item at v) regarding the extract of the cabinet decision, all others have already been made available to the Commission.

It is, however, suggested that with a view to avoid time span consumed in the correspondence, it will be worthwhile to depute Shri Zuha, Desk Officer, to Kolkata, along with all the relevant material and also to know as to what else they require.

Drafts I and II for approval please.

Umesh Kumar Kalra
(Umesh Kumar Kalra)
Director

Joint Secretary (IS)

31/12
'X' not required. There is a letter from Sh. A.K. Dubey, 93, C.A.S. Sect. Since recd. this may be taken into account while sending a reply to the Commission. We should also request the Commission not to ask for the documents which are not available with us or which have already been sent to them.

21/1

Dir (IS II)

for m.e. letter from A.K. Dubey is also being sent.

Umesh Kalra
71

2020

5/Dir (IS-II) 03
2-1-03

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Ministry of Home Affairs
IS(D.V)

.....

Under submission is a Status Report furnished by the Justice Mukherjee Commission of Inquiry for the period dated 1/10/02 to 31/10/02 indicating the factual pending positions relating to documents/information which they have asked for from this Ministry and other Ministries.

We are concerned with Para 3(a), 3(b)(i), Para 4, Para 6, Para 9 Para 10 and Para 16.

Para 3(a) Previously Commission approached this Ministry asking for copies of the Affidavit – in-Opposition and the judgment Order dated 4.3.1987 delivered by Hon'ble Mr. Justice Bhargava of Rajasthan High Court relating to the inquiry into the circumstances in which Netaji Subhas Chandra Bose died. As the copy was not available at that time the matter was taken with the M/o External Affairs to furnish the requisite documents. The Ministry of External Affairs furnished a barely legible copy of the judgement Order alongwith a copy of d.o.letter No.C/551/7/92-JP dated 8.10.1993 indicating follow up action required by them on the said judgement Order referred to above.. As the copy of judgement Order made available by the MEA was barely legible, it was decided in consultation with Dir (IS-I) that a legible copy may be obtained from Registrar, Rajasthan High Court. Accordingly, Rajasthan High Court was requested dated 23.8.02 that a legible copy of judgement Order dated 4.3.1987 be made available to the Commission under intimation to this Ministry. Now during search, the said judgement Order was found in a miscellaneous paper and the copy thereof has already been handed over duly attested to Shri N.K. Panja, PPS to the Chairman, JMCI on 2/1/03. Perusal of the judgment Order reveals that no counter affidavit was filed by Govt. of India and it was an ex-parte decision. Hence no copy of Affidavit in opposition was made available to the Commission.

Para 3(b)(i) The Commission has asked for Action Taken Report on the letter dated 15/10/1970 of Shri M.L. Sondhi, MP addressed to the then President of India which was sent by the PMO for such action as considered appropriate. In this regard we have already apprised the Commission of the factual position vide para 12 of this Ministry's Status Report dated 18/7/02 (P 90 Vol-III inter-alia that no such papers have become available in the M/o Home Affairs and Hon'ble Commission may get in touch with the M/o External Affairs/PMO to obtain information in this regard. Hence no action is called for on our part

✓ p-171/cov.

Para 4 The action is being taken separately on Pt file.

Para 6 The Commission has asked for authenticated true copies of The Papers/Documents concerning Serial Nos.(ii), (iii), (iv), (v) and (vi) of Para 1 of the letter No.281/12/1/2000-TS dated 19.9.01 of the Cabinet Sectt. Govt. of India. In this regard the Commission has already been apprised vide this office letter dated 2/1/03 vide page 157/cor.

Para 9 In this para the Commission has asked for a true copy of the Answer to the Lok Sabha Starred Qn.Dy.No.3424 raised by Shri Samar Guha, MP, Lok Sabha during 1974. Although as per existing records no such Starred Qn. bearing Dy.No.3424 for 28/2/74 appeared to be admitted. However during searching of the above Question we have come across of a notice of L.S.Unstd.Qn.Dy.No.3427 for 28/2/74 raised by Shri Samar Guha and a suitable reply alongwith copy of documents relating to Lok Sabha Unstd.Qn.Dy.No.3427 for 28.2.74 has already been handed over to Shri Panja, PPS to Chairman JMCI on 2/1/03 vide page 159/cor.

Para 10 In this para the Commission has asked for the outcome of the action taken on the letter dated 13.9.1990 of Shri Amiya Nath Bose addressed to Shri V.P. Singh the then Prime Minister of India forwarded to this Ministry. In this connection we have already intimated to the Commission vide para 5 of the Status Report dated 18/7/02 (P 88 Vol-III) that no specific action was called for on this receipt and the letter was taken on record. Since the Commission has already been apprised in this regard, no further action is required to be taken.

Para 16 The Commission has asked for action taken report on letter dated 13.3.93 jointly written by Shri Triguna Sen, Shri Amiya Kumar Majumdar and Shri Aurobindo Nath Bose forwarded by Dr. Shankar Dayal Sharma the then President of India. In this connection it may be mentioned that the Commission has already been informed vide this Ministry letter dated 24/10/02 P 126/cor. that the instant reference on receipt from PMO was subsequently sent to the MEA for appropriate action and the Commission may like to take up the matter with MEA. Since the Commission has alleged that MEA has not been endorsed the copy of the above letter, if agreed to we may send the copy of our earlier correspondence to JMCI as per DFA.

M. S. Zuhra
6/11/03
(M.S. ZUHA)
DESK OFFICER

may be sent see before issue
DIRECTOR(IS-II)
JOINT SECRETARY(IS)

*Hand about my instructions 9/1
at P. 17/Notes 7 Dir(ISA) may
personally look into this. A comprehensive
letter may issue to JMCI. to 9/1*

53/Dir(ISA) 10/1

Dir(ISA)

Ref. note on pre page 2 FR II

A revised fair letter is placed below for sign. pl.

C. K. Hauke
16/1/03

Dir (IS II)

The instructions given by JS (IS) on p-17/ante are to be incorporated. We must also ask the full commission to ask for the documents already sent, or submitted by JS (IS). H-re-submit

C. K. Hauke

16,

Dir (IS II)

A revised draft is placed below for approval pl.

C. K. Hauke
17/1/03

Dir (IS II)

Reference JS (IS)'s instructions on page-17/ante. Sir's Duhay's letter (P-187/c) refers to the status report for the month of November 2002.

The present DGA is the reply to the status report for the month of October 2002. However, action has already been taken on all the points concerning MHA. As desired, Jmci is being requested not to insist on the issues which have already been attended to.

May it. See before Jmci.

At. Keep the C.A. Sect. also informed with their return.

JS (IS)

C. K. Hauke

@ FR II

@ FR I

987 Dir (IS II) 03
24/1 00 (C. K. Hauke)

Ref. note on fine-page

for sign & issue pt.

U/S
24/1/03

Dir (S. P.)
W/
24/1/03
S. (L. M. S.)

- 22 -

Ministry of Home Affairs
IS(D.V)

.....

Under submission is a Status Report furnished by the Justice Mukherjee Commission of Inquiry for the month of Nov., & Dec., 02 indicating the pending positions regarding documents/information required from this Ministry and others which may kindly be seen at FR-I & FR-II.

We are concerned with Paras 5&4, Para 7 & 6, Para 10 & 9, Para 3(b)(i) and 11 (a) and Para 14 & 15 of the Status Report of Nov., & Dec., 02 respectively and Para 18 of the Status Report of December.

Para 5 & 4 JMCI has asked for certain documents pertaining to the correspondence had between M/o Home Affairs and Khosla Commission during 1974. In this connection they have referred previous references of PMO and this Ministry's File No.24/27/71-Pol-II indicating that PMO's U.O.No.PMS-307 dated 5.1.1974 was sent to Shri T.C.A. Nivasavardan, Additional Secretary, MHA and d.o. letter No.24/27/71-Pol.II dated May 3 / 4, 1974 of the Home Minister addressed to Samar Guha, M.P. The Commission has also referred the reply given by the HM in the Lok Sabha on 27th March, 1974.

In this connection it may be mentioned that despite various efforts the relevant File No.24/27/71-Pol-II Section belonging to the erstwhile Pol-II Section could not be traced. However a File No.6/7/74-NC reg. Lok Sabha admitted Std.Qn. for 27.3.74 raised by Sh.Samar Guha relating to recording of evidence of Habibur Rehman in Pakistan is available and photo copies of the contents of this file may be made available to the Commission as Annexure A of the enclosed draft Status Report.

Para 7 & 6 JMCI once again raised the similar issues seeking authenticated true copies of the paper/documents concerning Sl.No.(ii),(iii),(iv),(v) & (vi), they have already been apprised of the factual positions of the documents vide this Ministry's letter dated 3.1.03 P 157/cor.

Para 10 & 9 These issues are also being raised from time to time whereas the Commission has already been apprised of the factual position vide Para 5 of this Ministry's Status Report dated 18.7.02 followed by subsequent communication of even No.dated 24/1/03 inter-alia states that no specific action was called for on these receipts and the letter was taken on record.

Para 3b(i) and 11(a) In this para the Commission has asked for action taken report on the letter dated 15.10.1970 of Sh.M.L. Sondhi, M.P, Lok Sabha. Although the Commission has already been informed vide Para 11 of this Ministry's Status Report dt.18.7.02 that no such paper is available in this Ministry and they may get in touch with MEA/PMO to obtain information in this regard but Commission is still raising this issue from time to time.

Para 14 & 15 Documents made available by the Cabinet Sectt has already been sent to JMCI on 24/1/03.

Para 18 of Dec.,02 JMCI has asked for further contemporary official documentary records pertaining to the statement made by late Morarji Desai the then Prime Minister of India in the Lok Sabha on 28/8/1978

In this connection it may be mentioned that the JMCI has already been apprised of the factual position of its non-availability through this Ministry's affidavit dated 19.12.01 (copy enclosed with draft Status note).

In the light of the above a draft Status note with ref. to the issues concerning this Ministry is placed below for approval.


(M.S. ZUHA)
DESK OFFICER

DIRECTOR (IS-II)

These are the Status Reports for the months of Nov and Dec 2002. Action, on our part, on all the Action points, relevant to MHA, has already been taken.

may kindly see before the same is sent to JMCI, whether

Jsc(s)

11/12

11/12

275/Dir(15-11)23
11/12

Dir(15-11)

11/12

11/12

DD (MHA)

FR may kindly be seen.

On receipt of the status reports for the month of November 2002 (pg172 /cor.) and December 2002(pgs 201/cor.) each and every paras concerning to this Ministry regarding documents/information was examined jointly and found that most of the issues raised therein were the same issues on which the commission was already apprised of the factual position time and again.

As the commission was insisting for those documents again and again or asking for those documents which was neither relevant to the terms of the commission nor available with us, a comprehensive status report in the form of statement indicating the details of documents sought by the commission and explaining the factual position against each documents were sent to the commission (pgs 218-222/cor.) with the approval of Dir(IS-II) and JS(IS) for their kind perusal.

JMCI instead of checking their own records has pointed out which inter-alia states that:

" Shri M.S.Zuha, Desk Officer, Ministry of Home Affairs, in his letter dated Feb.2003 has stated that the position of the matters of the Status Reports for the months of November and December, 2002 has been examined and he has enclosed an unsigned Status Note, without putting any date thereof and without disclosing who has examined the matter or whether the matter was examined by duly authorized officers of the Ministry and whether Shri Zuha has been directed to write the letter on behalf of the Ministry.

In this connection, it may be mentioned that the above status report was simply an explanatory detail of those documents they sought, so that they may not raise the same issue time and again. Moreover, the said status report was sent after it was approved by Dir(IS-II) and JS(IS) vide pg 23/ante. Such type query raised by the commission is certainly uncalled for.

In view of the above, it will be appreciated if DIR(IS-II) and JS(IS) may like to discuss such issue with Secretary, JMCI that such type of explanatory correspondence can be communicated by the Desk officer (IS-V), as the work relating to JMCI including residuary as well as housekeeping function comes under the ~~function~~ of IS(V) section. However, if an affidavit is required to be filed, that would be signed not below the rank of JS as directed by the Commission.

Submitted please.

M.S. Zuha
(M.S.ZUHA)
Desk Officer
13.3.2003

DIR(IS-II)

JS(IS)

*may like to see for info. and
further discussions.*

*'X' = the position can be explained
to the Commission.*

*We may intimate the
Commission as per info.*

JS(IS)

M.S. Zuha
24/3

*supp Dir (IS-II) 03
17/3*

ind (IS-II)

*16/3
for IS-II
- (M.S. Zuha)*

Ref. note on pre-page

We may inform Justice Mukherjee Commission of Inquiry as per DFA.

1060/Dir(18-2)03
1/9

DIR(18-II)

JS(18)

Mukherjee
31/3

6 1/4

M. S. Zuhra
27/3/03
(M.S. ZUHA)
DESK OFFICER

Dir (18-2)

H. for

27/4

25/18/2)

Ref. F.R.

Since the commission has already been apprised of the factual position of these documents referred in the F.R. vide p. 157/cv, no further action required to be taken at this stage. However, we may send a reminder to D/o Economic Affairs to let us know the position in respect of document mentioned at S.No.(ii) F-10/20/20 regarding de-classification of Cabinet note no. 1/18/68-Coin dt. 17/5/68 which required to be furnished to the J.M.C.I. as per D.F.A. which may hardly be seen during issue.

M. S. Zuhra
7/11/03

Dir(18-II)

27/4

25/18-2)

**Ministry of Home Affairs
IS(D.V)**

.....

JMCI has forwarded two Status Reports for the month of January,03 and February,03 showing pending action points against the Ministry of Home Affairs and other Ministries & Departments.

Action points shown against the MHA are contained in Para 4, 6 8, 9a, 14 and Para 16 of the Status Report of January,03. The factual position are given below:-

- Para 4** This aspect has already been examined vide Para 3 at P 22/ante and factual position has already been communicated to the Commission with the approval of JS(IS) vide this Ministry's letter dt.13.2.03 (P 218/C) in the form of Status Report.
- Para 6** In this para JMCI has once again raised the similar issues seeking authenticated true copies of the papers/documents concerning Serial Nos.(ii), (iii), (iv), (v) and (vi). The Commission has already been apprised of the factual positions of the above documents.vide this Ministry's letter dated 3.1.03 (P 157/C.)
- Para 8** The Commission has already been informed that "no specific action was called for on this receipt and the letter was taken on record vide this Ministry's Status Report dt. 18.7.02(P 351 of Vol-II)
- Para 9(a)** The Commission has already been apprised of that "no such papers have become available in this Ministry of Home Affairs. Hon'ble Commission may get in touch with the MEA/PMO to obtain information in this regard vide P 351 of the Status Report dt. 18.7.02.
- Para 14** In this regard Commission has already been informed vide this Ministry's letter dt.24/1/03 (P 198/C) that copies of the letter dt.22.3.93 of Dr. Shankar Dayal Sharma, the then President of India, alongwith a copy of the letter dated 13.3.1993 jointly written by Shri Triguna Sen, Sh.Amiya Kumar Mazumder, and Shri Aurobinda Nath Bose were forwarded to MEA for appropriate action vide this Ministry's letter No.I/12014/13/2000-IS(D.III) dt.17.5.1993.
- Para 16** Reg. the availability of "further contemporary official documentary records pertaining to statement made by late Morarji Desai, the then Prime Minister of India, in the Lok Sabha on 28.8.1978, the Commission has already been apprised of the factual position of its non availability through this Ministry's affidavit dt.19.12.01. This aspect was also clarified vide this Ministry's Status Note dt.13.2.03, P 218/C.

In regard to action points shown against this Ministry's in the Status Report of February, 03 contained in Para 2, 13 and Para 19.

Para 2 The Commission has asked the concerned Ministry's/Departments to file an affidavit sworn by their respective authorized officers not below the rank of Joint Secretaries to the G/o India in respect of the action points shown against MHA contained in Paras No. 3(b)(i), 5, 7, 10, 14 and 15 of the status report of Nov., 02.

Although the Commission has already been apprised of the factual position in respect of the above paras of Status Report of Nov., 02 vide this Ministry's letter dt. 24.1.03 (P 198/C). *but they are insisting to file an affidavit in respect of the above paras.*

It is submitted for orders whether any affidavit is required to be filed or otherwise.

Para 13 It is a similar issue which has already been examined vide Para 4 of P 23/ante.

Para 19 In this para the Commission has sought further extension Beyond 14/5/03. As the proposal for further extension For six months has already been approved by Dy. PM. The Commission will be informed in due course.

Submitted please.

[Signature]
15/4/03
(M.S. ZUHA)
DESK OFFICER

DIR (IS-II)

on leave.

JS (IS)

the MHA has already filed at least three affidavits. Why another affidavit? The Commission has already been apprised of the position.

22/4

Dir (IS-II)

JS(S)

Discussed with JS(S)

We may inform JMC1 as per DRAFT which may kindly be seen and approved before issue.

JS(S)

[Signature]
29/4/03

23/5/03
29/4

Before the file is submitted to JS(S) kindly indicate references of MHA's replies against each para in the draft. If required, the relevant file from which the reply was sent, may also be linked for ready reference.

Ambeal

30/4

DSR 15-07/MSB)

As desired, draft has been docketed indicating the page number of each reference of MHA's reply.

We may now obtain the approval of JS(S) before issue.

Ambeal

30/4.

Dir(S)

Jmci (Justice Multipurpose Commission of Inquiry) has been sending status reports on monthly basis to the concerned ministries whereby the actions to be taken or taken by the latter are detailed. FRI, II and III are such reports for the months of January, February and March 03. On going through the paras concerning MHA in the Reports for January and February, it is seen that action taken by us has already been conveyed to the commission and therefore, nothing is pending with MHA as on date.

may kindly apprise the draft replies for January & February 03. The reply to the paras for March's report will be submitted shortly.

Ambeal

01/5

1.5.2003.

JS(S)

Dir(S)

DSR (MSB)

14/Dir(S)/03
30/4

63/JS(S)/03
11/5/03

Ref. note on free page -

A fair draft is placed before
for sign. & issue pl.

M. H. H. H.
1/5

Dir (S)

M. H. H. H.

05/1

Doc M. H. H.


M. H. H.

FR may kindly be seen.

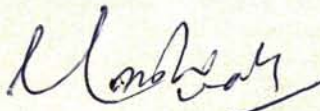
JMCI has sought certain clarifications of the following documents of the Cabinet Secretariat:

- i) F.No. 10/22/CF/68
- ii) F.No. 6/5/9/77 CF
- iii) F.No. 21/CF-68
- iv) F.No. 6/1/674-CF, and
- v) F.No. 6/5/1/91-TS

Before a suitable reply is sent to JMCI we may seek that views/comments of Cabinet Secretariat specifically on last two para of the FR as per DFA.


(M.S. ZUHA) 19/5
Desk Officer

Director(S)


19/5



~~CONFIDENTIAL~~

(S.No. 1CR)

2575/15US D-11/02

30/8

By registered
post with A/D.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinscb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

No. JMCII/ Records/N.Delhi/99-2000/37(III)/202
Kolkata, dated, July 22, 2002

From : Shri P.K. Sengupta
Secretary

To: The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.



Sir,

I am directed to refer to the Commission's letter No. JMCII/Records/N.Delhi/99-2000/37(II)/609 dated March 14, 2002 (xerox copies of the letter and its enclosure are annexed) and to request you again to kindly send immediately authenticated true copy of the news which claims that Netaji Subhas Chandra Bose has spoken from Moscow Radio after the Taskent Agreement, the full text of the said radio speech, the particulars of the student in the name of Subhas Chandra who allegedly made the broadcast and a true copy of the report sent by the Radio Moscow Authority in the matter as called for by the Commission's letter dated March 14, 2002 referred to above.

Yours faithfully,

(P.K. Sengupta)
Secretary

Encl: As stated above.

Pang (14)

Handwritten notes on the left margin: 'VJ/DA', 'Secretary', 'Pl examine', 'pro file fl.', '30/8', and a signature.

Confidential
Acc with letter no. 603
12
- 185
Records/N.Delhi/99-2000/37(II)/
609.

14th March 2002.

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

S i r,

I am directed to send herewith a xerox copy of correspondence page No.153 of Prime Minister Office's Secret File No.2(64)/56-68-PM and to state that it is mentioned therein inter alia that Netaji Subhas Chandra Bose has spoken from Radio, Moscow after the Taskent Agreement and that on checking up with the Radio Moscow Authority, it was discovered that a student in the name of Subhas Chandra had, in fact, made the broadcast.

I am, therefore, directed to request you to send an authenticated true copy of the said news which claimed that Netaji Subhas Chandra Bose has spoken from Moscow Radio after the Taskent Agreement, the full text of the radio speech, the full particulars of the student in name of Subhas Chandra who allegedly made the broadcast and a true copy of the report sent by the Radio Moscow Authority in the matter.

Encl : One

Yours faithfully

P.K.
(P.K. Sengupta
Secretary

having accepted the findings of the Committee, have taken the position that unless fresh evidence or new facts were brought to light a further enquiry was not warranted. Rumours about Netaji's survival and whereabouts, etc., have cropped up repeatedly. Each of these, whenever brought to Government's notice, has been investigated and generally found to be baseless. In 1962, rumour was spread that a Sanyasi of Shaulmari Ashram was in fact Netaji. The Sanyasi, Swami Shradhanand himself denied the rumour. Another claim made by Dr. S.N. Sinha that Netaji was incarcerated in Cell No. 46 of Yakutusk prison in Siberia has not been corroborated by any tangible evidence. Lt. Gen. Fujiwara of Japan who came to India to present Netaji's sword, while urging for further investigation, did not produce any evidence to contradict the findings of the Shah Nawaz Khan Enquiry Committee. Recently a press report in a Bengali Daily, "Jugantar", based on information given by an ex-Indian army personnel, presently employed in West Bengal Police (as Inspector of Police, Security Control, Calcutta), that Netaji left Singapore by submarine towards the end of 1945 was investigated and found to be hearsay and vague information. The latest instance is of the news report claiming that Netaji Subhas Chandra Bose had spoken from Radio Moscow after the Tashkent Agreement. On checking up with Radio Moscow authorities, it was discovered that a student by

.../-

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SI.No. 2(R)

2574/ISUSA-IV for 30/7

By registered
post with A/D.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

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Special Duty - 252-2765
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e-mail: jmcinscb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

No. JMCI/ Records/N.Delhi/99-2000/37(II)/608(2) dated, July 22, 2002

From : Shri P.K. Sengupta,
Secretary

To : The Secretary
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.



Sir,

I am directed to refer to the Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/608(2) dated March 14, 2002 (xerox copies of the letters and its enclosures are annexed) and to request you again to kindly report to the Commission immediately the details of action taken on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P. (Lok Sabha) addressed to Shri V.V. Giri, the then President of India and the outcome thereof since the said letter of Shri Sondhi contains some matters appearing to be relevant for the purpose of the inquiry of this Commission. The said letter of Shri Sondhi was sent by the Prime Minister's Office to the Ministry of Home Affairs with the former's U.O. No. 2(64)/56-70-PM dated October 22, 1970 for such action as was considered appropriate.

Yours faithfully,

(P.K. Sengupta)
Secretary

Encl: As stated above.

para (12)

Confidential

14th March 2002.

Records/N.Delhi/99-2000/37(II)/
608(2).

From : Shri P.K. Sengupta,
Secretary.

To : 1) The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

2) The Secretary,
Ministry of External Affairs,
Government of India,
South Block,
New Delhi-110001.

S i r,

I am directed to send herewith a copy of the letter dated 15.10.1970 of Shri M.L.Soydhi, M.P.(Lok Sabha) addressed to Shri V.V.Giri, President of India (vide enclosed copies of cor.pages 177 & 177A of Prime Minister Office's Secret File No. 2(64)/56-68-PM), ~~enclosed~~, which contains some matters appearing to be relevant for the purpose of inquiry of this Commission, I am directed to state that cor.page 179 thereof, which is a copy of P.M. Sectt'u.o. No.2/64/56-70-PM dated October 22, 1970 (vide copy enclosed) shows that a copy of the said letter of Shri M.L.Soydhi had been sent by the Prime Minister's Office to the Ministry of Home Affairs and the Ministry of External Affairs for such action as was considered appropriate.

I am, therefore, directed to request you to report to the Commission the details of action taken on the said letter of Shri Soydhi and the outcome thereof since those facts do not appear to be available in the said file.

Yours faithfully,

Encls : Three.

(P. K. Sengupta)
Secretary

Negative
suffly succd.
vide CPs 209
4-212

M.L. Sondhi
MEMBER OF PARLIAMENT
(LOK SABHA)



PRESIDENT'S SECRETARIAT
Dy. No. 5040-0/20
Dated 17.10.70

C-1/6, Lodi Gardens,
New Delhi-3.

15th October, 1970.

Respected Rashtrapati ji,

Please permit me to draw your attention to a reference to Netaji's death which was published in the American version of Goebbel's Diary in its first edition. As you will notice in the enclosed copy of a page of this book, it has been mentioned in the explanatory note that Netaji was arrested and shot by the American troops. This American edition of Goebbel's Diary was withdrawn from circulation by the American Government, but we have been able to trace a copy of this book and I am drawing your attention to this particular matter because of the Netaji Inquiry Commission (1970) the Government have formed with Justice G.D. Khosla as its Chairman.

2. We are all very thankful to you for having agreed to make another effort to clear the mystery of Netaji's death, but in my view this mystery is surrounded with so much secrecy that unless this Committee of Enquiry has also some members from other countries, the Committee will not be able to achieve anything very substantial. In the first place, Government of India should request the State Department of the U.S. Government to release from its archives all the secret files in connection with Netaji's death and the same approach should also be made to the Japanese and other Governments.

3. May I, therefore, suggest that you should kindly review the composition of the Enquiry Committee and include in it some internationally well-known jurists and ensure that the injustice done by the Shah Nawaz Commission of 1956 is not repeated.

4. I have to draw your attention to a related matter which is the Verdict of the Tokyo Trial vis-a-vis Netaji. The consistent position taken by our informed citizens is that the Tokyo Trial was a grave injustice to the Japanese people and to Netaji. There is a popular demand among Indian intellectuals that the Government of India should take concrete steps to undo the Verdict of the Tokyo Trial. It is a matter of some comfort that the renowned Indian judge Radha Binod Pal in his dissenting judgement exposed by implication the malafides of the other Allied judges on the Tokyo tribunal.

M.L. Sondhi
MEMBER OF PARLIAMENT
(LOK SABHA)



C-I/6, Lodi Gardens,
New Delhi-3.

15th October, 1970.

- 2 -

Reflecting the wishes of the overwhelming majority of millions of our countrymen who respect and admire the cooperation of Subhas Chandra Bose and the Japanese people, I propose to bring in the next session of Parliament a motion placing on record the heartfelt thanks of the Indian people to the Japanese people and calling upon the Government of India to take steps to get the Tokyo Verdict vacated by all diplomatic means at its disposal.

With respectful regards;

Yours sincerely,

M.L. Sondhi
(M.L. SONDHI)

Shri V.V. Giri,
President of India,
New Delhi.

Encl: One

CONFIDENTIAL

SI.No.3(CR)

2576/ISUSD-JV/02

8

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
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By registered
post with A/D.

Fax : 0091-033-252-2765

No. JMCI/Records/N.Delhi/99-2000/37(III) ^{/203} Kolkata, dated, **July 22, 2002**

From : **Shri P.K. Sengupta**
Secretary

To : **The Secretary**
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.



Sir,

I am directed to refer to the Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/610 dated March 14, 2002 (xerox copies of the letter and its enclosures are annexed) and to request you again to kindly report to the Commission immediately the action taken by the Government of India for verification of the news of imprisonment of Netaji in Russia, the details of verification actually made and the outcome thereof as called for by the Commission's letter dated March 14, 2002 referred to above.

Yours faithfully,

(P.K. Sengupta)
Secretary

Encl : As stated above.

Statue Relat.
2/8/02

Records/N.Delhi/99-2000/37(II)/
610.

14th March*2002.

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

S i r,

I am directed to send herewith a xerox copy of the correspondence pages bearing Nos.112 and 153 of Secret. File No. 2(64)/56-63-PM of the Prime Minister's Office and to draw your notice to the cor.page No.112 which refers to a news of Netaji's imprisonment in Russian Jail that the particulars of the action taken regarding verification of the said news are not available in the said file and that at Cor.page 153 which is a part of a secret note dated September 1, 1969 for the Cabinet, apparently prepared by the Secretary, Ministry of Home Affairs, Government of India, it has been mentioned inter alia that the said news of Netaji's imprisonment in Russia "has not been corroborated by any tangible evidence".

I am, therefore, directed to request you to report to the Commission as early as possible the action taken by the Government of India for verification of the said news of imprisonment of Netaji in Russia, the details of verification actually made and the outcome thereof.

Yours faithfully,

Encls: Two.

(P. K. Sengupta)
Secretary

Sur 46

Ghatgur
6.2.70

^{Shimoli}
Hon. Indira Gandhi

Prime Minister
Govt of India.
Delhi.

112

Is this news?

I have the greatest pleasure
to read the news of the whereabouts
of Shri Netaji Subhash Chandra Bose in
"The Gondwanan" published on the 26th Jan/70,
that he is imprisoned in Russia Room
No 15 of Yarkunash jail.

If the news is true, what
kind of action by our Govt has been taken?
I am very eager to know ^{the} efforts made on his
part; hence I, as a citizen of my land, earnestly
and humbly request you to kindly intimate
whether the news is true.

I wish, God may provide him
long happy life.

Yours faithfully
Indira Gandhi

12.2.70

JS 11

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15/1/70

11/1/70

2/2/70

having accepted the findings of the Committee, have taken the position that unless fresh evidence or new facts were brought to light a further enquiry was not warranted. Rumours about Netaji's survival and whereabouts, etc., have cropped up repeatedly. Each of these, whenever brought to Government's notice, has been investigated and generally found to be baseless. In 1962, rumour was spread that a Sanyasi of Shaulmari Ashram was in fact Netaji. The Sanyasi, Swami Shradhanand himself denied the rumour. Another claim made by Dr. S.N. Sinha that Netaji was incarcerated in Cell No. 46 of Yakutusk prison in Siberia has not been corroborated by any tangible evidence. Lt. Gen. Fujiwara of Japan who came to India to present Netaji's sword, while urging for further investigation, did not produce any evidence to contradict the findings of the Shah Nawaz Khan Enquiry Committee. Recently a press report in a Bengali Daily, "Jugantar", based on information given by an ex-Indian army personnel, presently employed in West Bengal Police (as Inspector of Police, Security Control, Calcutta), that Netaji left Singapore by submarine towards the end of 1945 was investigated and found to be hearsay and vague information. The latest instance is of the news report claiming that Netaji Subhas Chandra Bose had spoken from Radio Moscow after the Tashkent Agreement. On checking up with Radio Moscow authorities, it was discovered that a student by

.../-

CONFIDENTIAL

SI: No. 4CR

2572/15USD/102
30/7/02

By registered
post with A/D.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinscb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

No. JMCI/ Records/N.Delhi/99-2000/37(III)Kolkata, dated, July 22, 2002

From : Shri P.K. Sengupta,
Secretary

To : The Secretary
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.



Sir,

I am directed to refer to the Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/534 dated January 29, 2002 (xerox copy enclosed) and to request you again to kindly confirm immediately whether Volume Nos. XVIII, XIX, and XXII and other Volumes if any, pertaining to Khosla Commission which are not specifically mentioned in Schedule-I of the affidavit dated December 19, 2001 of Smt. Sangita Gairola, Joint Secretary (IS-I), Ministry of Home Affairs, Government of India, have since become available for perusal of the authorised representative(s) of the Commission as requested in the Commission's letter dated January 29, 2002 referred to above.

Yours faithfully,

(P.K. Sengupta)
Secretary

Encl: As stated above.

25/7/02
31/7/02
P.355/cw
Status Report (Tm)
Para 7

Records/N.Delhi/99-2000/37(Vol.
II)/534.

29th January 2002.

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

R/S 87
31/1/a

S i r,

I am directed to refer to the affidavit dated December 19, 2001 of Smt. Sangita Gairola, Joint Secretary (IS-I), Ministry of Home Affairs, Government of India, filed before this Commission and to state that besides the 17(seventeen) Volumes pertaining to Khosla Commission, as listed in Schedule-I of her affidavit, Vol.Nos.XX, XXI, XXIII, and XXIV pertaining to the said Commission are mentioned at Serial Nos. 5,6,7, and 8 respectively of Annexure 'A' of the said affidavit and that there is no mention of the Vol. Nos. XVIII, XIX, and XXII.

I am directed to request you that Vol.Nos.XVIII, XIX, and XXII and other Volumes, if any, pertaining to Khosla Commission, may kindly be made available along with other relevant files/documents/records which have been shown, in the said affidavit, to have since become available, for perusal of the authorised representative(s) of the Commission.

Yours faithfully,

PL

(P. K. Sengupta)
Secretary

CONFIDENTIAL

Sl. No. 5(R)

2573/1505D-IV/02
38/7

14

By registered
post with A/D.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinscb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

No. JMCI/ Records/N.Delhi/99-2000/37(II)/198
Kolkata, dated, July 22, 2002

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.



Sir,

I am directed to refer to Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/542 dated February 1, 2002 (xerox copy enclosed) and to request you again to kindly furnish the Commission immediately with the documents or authenticated copies thereof relevant to the contentions as quoted from P.M.O's Secret File No.2/64/78-P.M. in the Commission's aforesaid letter dated February 1, 2002.

Yours faithfully,

(P.K. Sengupta)
Secretary

Encl: As stated above.

P.M.O.

A 353/100
Status Repl. (Form)
para 6

15
12/5Records/N.Delhi/99-2000/37(Vol.II)
/542.

1st February 2002.

From : Shri P.K. Sengupta,
SecretaryTo : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.2/104
[Signature]ii) The Secretary,
Ministry of Information and Broadcasting,
Government of India,
Akashbani Bhavan,
Parliament Street,
New Delhi-110001.2/103
[Signature]

S i r,

I am directed to send herewith a copy of the d.o. letter dated February 3, 1998 of Shri R.C. Mazumder (a renowned historian) addressed to Shri Morarji Desai, the then Prime Minister of India, and of the notes of Shri Mazumder annexed thereto appearing at Cor.pages 16 to 20 of the Secret File No. 2/64/78-PM of the Prime Minister's Office, wherein it has been stated, inter alia :-

(a)" I may draw particular attention to the report of an American newspaper correspondent of the Chicago Tribune that he saw Subhas Bose at Saigon on 20 August, 1945..... I would request you to secure a copy of the American newspaper in order to establish the truth. As you will see in line 14 of the enclosed notes, the British official sources referred to this or to similar news in newspapers.....";

(b)" The Observer in Delhi in its issue of 7th September, 1977, p.11, makes many statements

162

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to show that Nehru knew that Netaji was not killed by an air-crash";

- (c) "Major General Shah Nawaz Khan, the Chairman of the first Commission that definitely concluded that Netaji died in the air-crash on 18th August, 1945, declared in a public meeting in Calcutta while hoisting the National Flag on Netaji's birth-day anniversary on 23rd January, 1951 that 'Netaji was alive and hoped that he would be in our midst when we celebrate his next birth-day.'

This speech was printed in newspapers the very next morning which are still available."; and


- (d) "In 1946 according to allied Secret Report No.10/MISC/INA the British Intelligence informed the Wavel Government;

' A Secret Report says, Nehru received a letter from Bose saying that he was in Russia and that he wanted to escape in India'

(Organiser, February 2, 1976, Page 3).

I am, therefore, directed to request you to kindly furnish the Commission as quickly as possible with the documents or the authenticated copies thereof relevant to the above-noted contentions.

Yours faithfully,


(P.K. Sengupta)
Secretary

4914 BR (1182) ~~Sl. No. 6CR~~ 6-2745/H3/12
2/8

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail: jmcinscb@cal.3.vsnl.net.in

By Registered
Post with A/D.

7858/01505/012

Fax : 0091-033-252-2765

No. JMCI/Meeting-Proceedings(Follow-Up)/48(Vol. II)/64 dated, July 26, 2002

From : Shri P.K. Sengupta,
Secretary

To : Shri Kamal Pandey,
Secretary,
Ministry of Home Affairs,
Government of India,
New Delhi-110001.

Sir,

I am directed to refer to this office last reminder No. JMCI/Meeting-Proceedings(Follow-Up)/48(Vol. II)/64 dated 2.5.2002, copies whereof were sent by registered post for necessary action to the Secretaries, Ministry of External Affairs, Prime Minister's office, Cabinet Secretariat, Ministry of Defence as also to the Director, Intelligence Bureau and the Director General of National Archives, Government of India and to say that no counter-affidavits or affidavit-in-opposition have yet been received by the Commission either from the Ministry of Home Affairs or from any of the other Ministries/Departments concerned of the Government of India. I am, therefore, directed to request you to kindly cause filing of the said counter-affidavits or affidavit-in-opposition, if any, by the Ministries/Departments/Offices within four weeks from the date of receipt of this letter, failing which it may be presumed that they do not want to file any counter-affidavit or affidavit-in-opposition.

Yours faithfully,

(P.K. Sengupta)
Secretary

Para 4

2. The Status Report
of May 2002 vide
para 4 of it has
been submitted.
That is a clear
finding in so far
as this Ministry
concerns.

URGENT

MOST URGENT

Put up
on file

12/9/02

2/8/02

JS(IS-3)

DO (D-1)
DO (II)
5/8

U take
me & inform
the
concerned

9625/01/1505/012
5/8/02

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JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Fax : 0091-033-252-2765

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinscb@cal.3.vsnl.net.in

No. JMCI/

Kolkata, dated,

:: 2 ::

By registered post with A/D.

No. JMCI/Meeting-Proceedings(Follow-Up)/48(Vol.II)/217/1(5)

Dated : July 26, 2002.

Copy forwarded for information and favour of taking necessary action. This is in continuation of the Commission's letters No. JMCI/Record/N.Delhi/99-2000/37(Vol.II)/537 dated 29.01.2002 and endorsements bearing No. JMCI/Meeting-Proceedings(Follow-Up)/48(Vol.II)/64(6) dated 02.05.2002, all sent by Registered Post.

- (1) The Secretary, MEA, New Delhi
- (2) The Secretary, PM's Office, New Delhi
- (3) The Secretary, Cabinet Secretariat, Government of India, New Delhi
- (4) The Secretary, Ministry of Defence, Government of India, New Delhi.
- (5) The Director, Intelligence Bureau, Government of India, New Delhi.

(P.K. Sengupta)
Secretary

S.E.-5

No. JMCI/Meeting-Proceedings (Follow-Up)/99-200

भारत सरकार सेवार्थ

Dated

ON INDIA GOVERNMENT SE

REGISTERED WITH A/D.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
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Special Duty - 252-2765
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e-mail: jmcinsecb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

No. JMCI/ Stat.Rept./99-2000/33A/173.

Kolkata, dated, 03. 07. 2002.

From : Shri M. Roy, IAS (Retd.),
Officer on Special Duty

To : Shri Mukesh Mittal,
Deputy Secretary (IS-I),
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

Sub : Status Report from 01.06.2002
to 30.06.2002.

Ref : Your Office letter No.I/12014/
1/2000-IS (D.III) dt. 07.02.2000.

S i r,

I am directed to forward herewith a 'Status Report' of the Secretary of Justice Mukherjee Commission of Inquiry, for necessary action at your end.

Yours faithfully,

Encl : As stated above.

(M. Roy)
Officer on Special Duty

2287/ISUSD-IV/02
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12 on file
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wa
Miss Meena

120

Justice Mukherjee Commission of Inquiry
For Inquiry into the Alleged Disappearance of
Netaji Subhas Chandra Bose
'B' Block, (3rd floor)
11/A, Mirza Ghalib Street, Kolkata-700 087.

STATUS REPORT

(From 01.06.2002 to 30.06.2002)

1. This Status Report is in continuation of the earlier Status Report forwarded under Commission's letter No. JMCI/Stat.Rept./99-2000/33A/106 dated 06.06.2002.
- 2.(a) Hearing of the Commission took place on 10.06.2002 at the Seminar Hall, Annexe Building, Mahajati Sadan, 166, Chittaranjan Avenue, Kolkata-700007 to ascertain the relevancy, if any, of the articles and documents recovered from the dwelling place of one 'Gumnami Baba' in Faizabad, U.P. and since brought to the Commission's office in Kolkata with the permission of the Lucknow Bench of the Allahabad High Court. In course of the hearing, one witness, viz., Shri Kartick Chakravarty, Office Secretary of the Netaji Research Bureau at Netaji Bhavan, Kolkata, was examined who, pursuant to the Order of the Commission, produced authenticated photostat copies of specimen^A of documents containing hand-writing^A of Netaji in Bengali and English and signatures of Netaji in Bengali, English and Hindi on behalf of Netaji Research Bureau from their custody (though the said Bureau was asked to produce the originals thereof).
- (b) Notices have been issued to all deponents and others concerned for the purpose of the next hearing of the Commission scheduled to be held on 16.07.2002 and if need be, on 17.07.2002 at 11.00 o'clock in the forenoon at the lounge of the Circuit House of Jalpaiguri, when the Commission, besides transacting other business, is likely to examine the following witnesses :-
- 1) Shri Bikash Chandra Guha, residing at Maynaguri, Dist. Jalpaiguri;
 - 2) Shri Lalit Mohon Chowdhury, residing at Maynaguri, Dist. Jalpaiguri;
 - 3) Shri Sudhangsu Kumar Poddar, residing at Maynaguri, Dist. Jalpaiguri;

contd...P.2.

- 4) Shri Sudhir Kumar Poddar, residing at
Maynaguri, Dist. Jalpaiguri;
- 5) Shri Nikhil Chandra Ghatak,
Senior Advocate, Jalpaiguri Court; and
- 6) Shri Sujit Biswas,
East Aurobinda Nagar.

3. On receipt of the affidavit dated February 1, 2002 of Shri Falguni Rajkumar, Joint Secretary (TRG) and C.A.O., Ministry of Defence, Government of India, further affidavit was called for, preferably within four weeks, from the Ministry of Defence, Government of India, by Commission's letter No. JMCI/Record/N.Delhi/99-2000/37/57 dated May 3, 2001 stating therein categorically as to whether the complete records of the proceedings of the trial of the I.N.A. personnel, which are prima-facie records of historical importance, do exist or not and if not, the precise reasons for non-existence of those important records may be stated and if those records have been destroyed, the reasons for and the date and place of destruction of the records, and whether copies or Micro-films/Micro-Fiches of those documents have been preserved and if not preserved, the reasons therefor may also be stated in their further affidavit which is yet to be submitted by the said Ministry before the Commission.

4. It has been stated inter alia in the affidavit dated December 19, 2001 of Smt. Sangita Gairola, Joint Secretary (IS-I), Ministry of Home Affairs, Government of India :

"The averments and allegations made therein (i.e. in the affidavits and supplementary affidavits concerned) are matters of records and subject to the consideration by the Hon'ble Commission. Some of the records available with this Ministry have been made over to the Hon'ble Commission and some others have been discovered with this affidavit (i.e. her affidavit dated December 19, 2001) for consideration by the Hon'ble Commission; and that she has further stated therein that "the Ministry of Home Affairs has also taken up the matter with

Ministry of External Affairs, Ministry of Defence, Intelligence Bureau, National Archives of India, and Prime Minister's Office, to go through the documents and if necessary submit an affidavit to the Commission directly."

Hence, the Secretaries of the Ministry of External Affairs, the Prime Minister's Office, and the Ministry of Defence as also the Director of Intelligence Bureau, and the Director General of National Archives of India were requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(Vol.II)/537 dated 29.01.2002 to send their respective affidavits immediately regarding the averments and allegations made in the relevant affidavits and supplementary affidavits of different deponents, the copies of which were furnished by the Commission with the Ministry of Home Affairs, Government of India. The Ministry of Home Affairs was also requested by Commission's letter No.JMCI/Meeting-Proceedings (Follow Up)/48(Vol.II)/505 dated 11.01.2002 followed up by reminders dated 11.01.2002, dated 01.03.2002, and dated 02.05.2002 to send affidavits/supplementary affidavits as also to furnish the original or authenticated copies of the documents mentioned in the affidavits/supplementary affidavits of the deponents concerned. The affidavit and the enclosures thereto since received from the Intelligence Bureau are being scrutinized while those are yet to be received from others inspite of persistent persuasion by the Commission.

5. The Secretary, Prime Minister's Office has been requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(II)/120 dated June 14, 2002 to send a report to the Commission immediately stating :-

- i) When and under what circumstances the papers listed in page Nos.1 and 2 of the P.M.O.'s Secret File No.23(156)/51-PM were destroyed;
- ii) Whether there was any specific Order of any competent authority for destruction of those papers;

contd...P.4.

23

- 4 -

iii) Whether any contemporary list of papers destroyed, was made under the signature of any competent authority; and

iv) Whether any copies of those papers destroyed have been preserved and if so, what are the contents of those destroyed papers.

⑤

Para-5

6.(a) The Secretary, Ministry of Home Affairs, Government of India, ^{has been} requested by Commission's confidential letter No. JMCI/Records/2000-01/37(II)/533 dated January 28, 2002 to let the Commission know what was the outcome of the action, if any, taken on U.O. No.800/6/C/I/90-Pol. dated September 21, 1990 of the Prime Minister's Office addressed to Shri Naresh Chandra, the then Home Secretary, Government of India, wherewith a copy of the letter dated September 13, 1990 of Shri Amiya Nath Bose addressed to Shri V.P. Singh, the then Prime Minister of India and of the enclosure thereto which is a xerox copy of the news titled, "Fresh Clue on Netaji's Death" published in the 'Times of India' (New Delhi) dated September 3, 1990 were sent to the Home Secretary, Government of India, for appropriate action. It ^{has been} also stated in the said letter dated 28.01.2002 of the Commission that the said letter dated September 13, 1990 of Shri Amiya Nath Bose with its enclosure and the said note dated September 21, 1990 are available in File No.800/6/C/I/90-Pol. of the Prime Minister's Office, on the subject, "Netaji Subhas Bose - Bringing in the ashes of". The reply of the Ministry of Home Affairs is still awaited.

Para 5

(b) The Secretary, Ministry of External Affairs, Government of India, ^{has been} requested by Commission's confidential letter No. JMCI/Records/2000-01/37(II)/532 dated January 28, 2002 to let the Commission know as quickly as possible what was the outcome of the action, if any, taken on U.O. No.800/6/C/I/90-Pol. dated May 23, 1990 of the Prime Minister's Office endorsed to the Joint Secretary (EA), Ministry of External Affairs, Government of India, wherewith copies of the letter dated May 11, 1990 of Shri Amiya Nath Bose, the reply dated

contd....P.5.

May 19, 1990 thereto given by Shri R. Sen, Joint Secretary of the Prime Minister's Office as also of the letter dated May 4, 1990 addressed to Shri V.P. Singh, the then Prime Minister of India, jointly authored by Shri Ashok Nath Bose, Shri Amiya Nath Bose and Shri Subrata Bose, all nephews of Netaji Subhas Chandra Bose, were sent to bring those to the attention of the Ministry of External Affairs, Government of India. It ^{has been} stated in the said letter of the Commission that xerox copies of the aforesaid letters and the note are available in the File No.800/6/C/I/90-Pol. of the Prime Minister's Office. The reply of the Ministry of External Affairs is still awaited.

- (c) The Director, Press Information Bureau, Government of India, ^{has been} requested by Commission's confidential letter No. JMCI/Records/2000-01/37(II)/531 dated January 28, 2002 to find out and furnish this Commission with an authenticated true copy of the Press statement, if any, of Mahatma Gandhi which is alleged in the letter dated May 4, 1990 addressed to Shri V.P. Singh, the then Prime Minister of India, authored jointly by Shri Ashok Nath Bose, Shri Amiya Nath Bose, and Shri Subrata Bose, all nephews of Netaji Subhas Chandra Bose, to have been made in 1945 by Mahatma Gandhi to the effect that Netaji did not die in any air-crash on August 18, 1945, after he spoke in detail to Col. Habibur Rahman regarding alleged death of Netaji in an air-crash on August 18, 1945. ^{the response is still awaited.}

7. By Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/542 dated February 1, 2002 the Secretaries, Ministry of Home Affairs, and Ministry of Information and Broadcasting ^{have been} furnished with a copy of d.o. letter dated February 3, 1998 of Shri R.C. Mazumder (renowned historian) addressed to Shri Morarji Desai, the then Prime Minister and of the notes of Shri Mazumder annexed to his aforesaid letter appearing at cor. pages 16 to 20 of the P.M.O.'s Secret File No.2(64)/78-PM and they ^{have been} requested to kindly furnish the Commission as quickly as possible with documents or authenticated copies thereof relevant to the contentions in the aforesaid d.o. letter dated 03.02.1998 and the enclosure thereto.

25
The Ministry of Information and Broadcasting by their letter dated 11.06.2002 has intimated that the documents as desired by the Commission in its aforesaid letter dated February 1, 2002 are not available with that Ministry. No reply has yet been received in this regard from the Ministry of Home Affairs.

8. The Secretary, Ministry of Home Affairs, Government of India, has been requested by the Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(II)/534 dated January 29,2002 to make available for perusal of the authorised representative(s) of the Commission, Vol. Nos. XVIII, XIX, and XXII and other Volumes (excepting first 17 Volumes) along with other relevant files/documents/records pertaining to the Khosla Commission which have not yet been sent to this Commission. The response of the Ministry of Home Affairs in the matter is still awaited.
- 9.(a) The Secretary, Ministry of Home Affairs has been requested on 14.03.2002 to report to the Commission the action taken by the Government of India for verification of the news of imprisonment of Netaji in Russia as mentioned in cor.page 112 of Secret File No.2(64)/56-68-PM of the Prime Minister's Office, the details of verification actually made and outcome thereof. The report is still awaited.
- (b) The Secretary, Ministry of Home Affairs, Government of India, has also been requested on 14.03.2002 to send an authenticated true copy of the news which claimed that Netaji Subhas Chandra Bose had spoken from Moscow radio after the Taskent Agreement as mentioned at cor.page 153 of the Secret File No.2(64)/56-68-PM of the Prime Minister's Office, the full text of the radio speech, the full particulars of the student in the name of Subhas Chandra who allegedly made the broadcast and the true copy of the report sent by the Radio Moscow authority in the matter. The particulars and the documents called for are still awaited.

contd...P.7.

(c) The Secretaries, Ministry of Home Affairs, and Ministry of External Affairs, Government of India, have been requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(II)/608(2) dated 14.03.2002 to report to the Commission the details of action taken on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P. (Lok Sabha) addressed to Shri V.V. Giri, the then President of India, which is lying at cor.pages 177 and 177(a) of Prime Minister Office's Secret File No.2(64)/56-68-PM and the outcome thereof since the said letter appears to contain some important matters relevant for the purpose of inquiry of the Commission. Their response is still awaited

10. Shri Jayant Prosad, Joint Secretary, Ministry of External Affairs, has been requested by the Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(II)/70 dated May 6, 2002 to kindly inform the Commission as to whether there has been any further inquiry as mentioned in the xerox copy of the Telegram from the Indian Embassy in Washington which has been sent as one of the enclosures to his d.o. letter No.25/4/NGO-VII dated April 19, 2002 about the materials on Netaji's disappearance, and whether the Ministry of External Affairs pursued further the matter and if so, the Commission might be informed of the result of their pursuing the matter for further inquiry. The response is awaited.

11. The Secretary, Ministry of Home Affairs, has been requested on 14.03.2002 to report to the Commission immediately the action taken on the points made by Shri Samar Guha in his d.o. letter dated December 21, 1973 addressed to the Prime Minister vide cor.pages 116 to 122 of Prime Minister Office's Secret File No. 2(64)/56-70-PM. Vol.V, other than those points of the said d.o. letter specifically dealt by Shri Tandon, Joint Secretary to the Prime Minister in his U.O. No. PMS-370 dated 05.01.1974 vide cor.page 164 of the said file. The report is still awaited.

12. The Secretaries, Ministry of Home Affairs, and the Prime Minister's Office have been requested on 14.03.2002 to send to the Commission immediately an authenticated true copy of the answer of the Government to the Lok Sabha Starred Question D. No.3424 vide cor.page 132 of the Prime Minister Office's Secret File No.

2(64)/56-70-PM. Vol.V. as also of the Government notes on the supplementaries regarding the said Lok Sabha Questions. The documents called for are still awaited.

- to action on our part*
13. The Commission has received on June 3, 2002 the Reader Printed copies of Roll Nos. 1 to 7 of the British Library, London and a copy of the File No. K 148 A of the Mountbatten paper of the University of Southampton Hartley Library (U.K.). The Commission by its d.o. letter No.JMCI/DOC(FOR)/99-2000/56(II)/101 dated June 3, 2002 addressed to Shri Baqar, Deputy Director of Archives has requested the latter to let the Commission know the latest position about the Micro-film ~~X~~ Rolls to be obtained from the Public Record Office, U.K.
- PMO*
14. The Secretary, Prime Minister's Office, has been requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(Vol.II)/536 dated 29.01.2002 to kindly send to the Commission immediately, authenticated xerox copies of the rules and procedures prescribed for destruction of files/documents since it appears from the purported xerox copies of file No.23(156)/51-PM of the Prime Minister's Office as also from their communication dated September 21, 2001 that a number of papers/files of the said office were destroyed. The documents called for are yet to be received.
- PMO*
15. Further response from the Ministry of External Affairs regarding finalisation of the visit of the Commission to Taiwan, in continuation of its proposed visit to Japan, is still awaited.
16. By Commission's letter No.JMCI/N.Delhi/99-2000/37(II)/35 dated 19.04.2002, the Director (Publication Division), Ministry of Information and Broadcasting, Government of India, has been informed that in a letter dated 04.05.1990 addressed to the Prime Minister of India, authored jointly by Shri Ashok Nath Bose, Shri Amiya Nath Bose, and Shri Subrata Bose, all nephews of Subhas Chandra Bose it was stated that Mahatma Gandhi granted an interview to Col. Habibur Rahman in 1945 and after speaking

M/O LB
to him in details, issued a Press statement that Netaji did not die in any air-crash on August 18, 1945 and that the said letter is lying in File No.800/6/C/I/90-Pol. of the Prime Minister's Office and the said Director has been requested to find out whether there was any such Press statement of Mahatma Gandhi and if so, to furnish this Commission with an authenticated copy of the said Press statement. The response is still awaited.

PMO
17.(a) The attention of the Secretary, Ministry of External Affairs has been drawn by Commission's letter No.JMCI/DOC(FOR)/99-2000/56(II)/125 dated June 17, 2002 to the d.o. letter March 26, 1991 of Shri Digbijay Singh, Deputy Minister for External Affairs, Government of India, addressed to Prof. Samar Guha which inter alia stated that the Ministry of External Affairs had already initiated follow up action with regard to high-level investigation into the secret documents on the disappearance of Netaji Subhas Chandra Bose and that the Ministry of External Affairs would keep Prof. Samar Guha informed of any further developments. A copy of the said d.o. letter of Prof. Guha has been enclosed with the Commission's said letter dated June 17, 2002. The Secretary, Ministry of External Affairs has been requested in the said letter to kindly send immediately authenticated true copies of the said secret documents as also of the report showing the outcome of the said high-level investigation into the said secret documents on the disappearance of Netaji Subhas Chandra Bose. The response is still awaited.

MSA
17.(b) With Commission's letter No.JMCI/DOC(FOR)/99-2000/56(II)/124 dated June 17, 2002 a copy of the note dated 26.03.1992 of Shri Alok Prosad has been enclosed wherein it is stated inter alia : "Soviet Foreign Office has received letters from Shri Samar Guha regarding documents stated to be in their possession and that they were making inquiries into the matter." By the said letter of the Commission the Secretary, Ministry of External Affairs has been requested to kindly report the outcome of the inquiries made by the Soviet authorities and send an authenticated xerox copies of their report in

in the matter. The said Secretary has also been requested to send an authenticated xerox copy of the C.C.P.A.'s decision in March, 1991 as referred to at Serial (4) of the said note of Shri Alok Prosad. The response is still awaited.

18. By the Commission's letter dated 17.06.2002 the Secretary, Prime Minister's Office, Government of India, has been requested inter alia to kindly report to the Commission immediately :

- PMO
- (a) Whether the Prime Minister's Office possesses originals of the Netaji Subhas Chandra Bose's purported Messages dated December 26, 1945, January 1, 1946 and February, 1946, appearing at pages 21 and 22 of Prime Minister Office's Confidential File No.870/11/P/16/92-Pol. on the subject, "Disappearance of Netaji Subhas Chandra Bose - p.p.s Reg." which prima-facie appear to have been broadcast after the alleged air-crash on August 18, 1945;
 - (b) If so, what was/were the source/sources from which the original messages were obtained by the Prime Minister's Office;
 - (c) If not, whether any inquiry was made by the Government of India about the source and authenticity of those messages; and
 - (d) What is the result of such inquiry ?

It has also been pointed out in the said letter dated June 17, 2002 of the Commission that the keeping of the aforesaid copies of the purported messages of Netaji in the said confidential file of the P.M.O. without any comment on or even any mention of any of those messages in the notesheets in the said File tends to give rise to a presumption that the copies of the said purported messages have some authenticity, or, at least, sanctity, which may justify the Commission's taking cognizance of the probative value of the messages.

19. The Secretary, Ministry of Home Affairs, has been requested by Commission's letter No. JMCI/Study (PMO)-Follow Up/2002-03/84/155 dated 27.06.2002 to kindly report immediately whether any treaty was signed/ratified by the Government of India in 1971 by which the limitation of time bar regarding arrest and trial of War Criminals was withdrawn and, if so, who were the War Criminals of India or of Indian origin or of the British India for whose arrest and trial India signed the treaty in 1971.

PM B A has been requested to forward to the Commission under intimation to this Ministry. Review 15/10/02

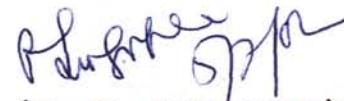
20.(a) By the Commission's letter No. JMCI/Study (PMO)-Follow Up/2002-03/84/136 dated 21.06.2002 the attention of the Secretary, Prime Minister's Office has been drawn to cor. pages 7 to 10 of the P.M.O.'s Secret File No. 870/11/P/10/93-Pol. Vol. I which contain a xerox copy of the letter dated March 13, 1993 jointly signed by Shri Triguna Sen, Shri Amiya Kumar Mazumder, and Shri Aurobinda Nath Bose addressed to the President of India which was acknowledged to have been received by the Prime Minister, vide his d.o. letter dated March 25, 1993 addressed to the President of India at cor. page 11 of the said file. The Secretary, Prime Minister's Office has been requested in the said letter dated 21.06.2002 to let the Commission know immediately what action was taken on the aforesaid letter dated 13.03.1993 and what was the outcome thereof.

PMO

(b) By Commission's letter No. JMCI/Study (PMO)-Follow Up/2002-03/84/135 dated June 21, 2002 the attention of the Secretary, Ministry of Home Affairs, has been drawn to the endorsement bearing No. 870/11/P/10/93-Pol. dated 08.04.1993 of the Director, Prime Minister's Office to the Home Secretary, New Delhi, coupled with a copy of the letter dated March 13, 1993 jointly authored by Shri Triguna Sen, Shri Amiya Kumar Mazumder, and Shri Aurobinda Nath Bose addressed to the President of India which was forwarded by the Prime Minister's Office to the Home Secretary for appropriate action. The Secretary, Ministry of Home Affairs, has been requested in the said letter dated 21.06.2002 to let the Commission know immediately what action was taken on the aforesaid letter dated 13.03.1993 and what was the outcome thereof.

21. The attention of the Secretary, Ministry of Home Affairs ^{has been} drawn to Commission's letter No. JMCI/Meeting-Proceedings (Follow Up)/48(III)/356 dated October 9, 2001 sent to him by Registered Post with A/D. requesting for sending immediately to the Commission authenticated true copies of the papers/documents concerning Serial Nos. (ii), (iii), (iv), (v), and (vi) of para 1 of the letter No. 281/12/1/2000-PS dated September 19, 2001 of the Cabinet Secretariat, Government of India, addressed to the Commission. vide ~~the~~ latter's reminder ~~sent~~ sent to the Secretary, Ministry of Home Affairs on 14.06.2002. The said papers and documents are yet to be received.

Cal. Sect.


(P. K. Sengupta)
Secretary

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By registered
post with A/D.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinscb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

No. JMCI/ Records/N.Delhi/99-2000/37(III)/200
Kolkata, dated, July 22, 2002

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.



Sir,

I am directed to refer to Commission's letter
No. JMCI/Records/N.Delhi/99-2000/37(III)/605 dated
March 14, 2002 (xerox copies of the letter and its
enclosures are annexed) and to request you again to
kindly report to the Commission immediately the action
taken on the points made by Shri Samar Guha in his d.o.
letter dated December 21, 1973 addressed to the Prime
Minister, other than those points specifically dealt by
Shri Tandon, Joint Secretary to the Prime Minister in
his U.O. No. PMS-307 dated 05.01.1974 sent to the
Additional Secretary, Ministry of Home Affairs,

Yours faithfully,

(P.K. Sengupta)
Secretary

Encl: As stated above.

8629/21505CD1
6/8/12

Ad. Secy
H. D. V. B.
1/3/17

for
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Confidential

33

Ack. in 15
Letter no. 603

Records/N.Delhi/99-2000/37(II)/
605.

14th March 2002.

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

R/161
19/3

S i r,

I am directed to send herewith a copy of the Prime Minister Secretariat's U.O. No.PMS-307 dated 05.01.1974 from Shri B.N. Tandon, Joint Secretary to the Prime Minister sent to Shri T.C.A. Srinivasavardan, Additional Secretary, Ministry of Home Affairs, which is lying at cor.page 124 of the Prime Minister Office's Secret File No.2(64)/56-70-P Vol.V. A copy of the letter dated 21st December, 1973 of Shri Samar Guha, M.P. addressed to the Prime Minister, which is lying at cor.pages 116 to 122 of the said Secret file, was enclosed with the said U.O. note of the Prime Minister's Office.

I am directed to request you to report to the Commission immediately the action taken on the points made by Shri Samar Guha in his said d.o. letter dated December 21 1973 addressed to the Prime Minister, other than those points specifically dealt by Shri Tandon, Joint Secretary to the Prime Minister in the aforesaid U.O. note.

Yours faithfully,

Encl : As stated above.

(P. K. Sengupta)
Secretary

S.No 81
S.No 80

134

S.No 87

PRIME MINISTER'S SECRETARIAT

We forward herewith a copy of a letter dated 21st December, 1973 which the Prime Minister has received from Shri Samar Guha, M.P. about the Netaji Inquiry Commission. In so far as points Nos. 4 and 6 are concerned, the position is that in accordance with the standing instructions relating to the recording of files, papers which were of a routine or non-essential nature were destroyed before this Secretariat file on the subject was recorded. In any case, no paper was destroyed after the file had been requisitioned by the Netaji Inquiry Commission.

2. As regards points 9 and 10, as the Ministry of Home Affairs is aware, the Prime Minister's Secretariat came into being in August, 1947 and this Secretariat file on the subject could not, therefore, have contained papers relating to earlier dates. We are, however, enquiring from the Nehru Memorial Library whether the letters referred to are with them.

3. As regards point 11 on page 4, it might be mentioned that the assignment relating to a biography of the Prime Minister was not a Government assignment. At Shri G.D. Khosla's special request, the Prime Minister saw him for about half-an-hour.

4. The Ministry of Home Affairs may kindly look into the other points made by Shri Guha and send a suitable reply to him, with a copy to this Secretariat.

Ramwinder
(B.N. Tandon) 4/1/74
Joint Secretary
to the Prime Minister
4.1.1974

Ministry of Home Affairs (Shri TCA Srinivasavaradan,
Addl. Secretary

PMS-307 ✓
5-1-74

B.F. 5-2-74
S.No 85
S.No 89

P.M. 2(64)

CONFIDENTIAL

By registered
post with A/D.

Fax :
0091-033-252-2765

SND 9/R / 245/ISD-III/102
7/18/02
35
JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:
Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail :
jmcinseba@cal.3.vsnl.net.in

/195
No. JMCI/ Records/N.Delhi/99-2000/37(III) Kolkata, dated, July 22, 2002

From : Shri P.K. Sengupta,
Secretary

for IS(III) gsk
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deary
2107
File No. I/12014/B/2000-DI
para 5
To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.



Sir,

I am directed to refer to the Commission's letter
N.Delhi/
No. JMCI/Records/2000-01/37(II)/533 dated January 28, 2002
(xerox copy enclosed) and to request you again to kindly
let the Commission know immediately what was the outcome
of the action taken on the letter dated September 13, 1990
of Shri Amiya Nath Bose and the enclosures thereto which
were sent by the Prime Minister's Office to Shri Naresh
Chandra, the then Home Secretary, Government of India with
the forwarding U.O.No.800/6/C/I/90-pol. dated September 21,
1990 for appropriate action as mentioned in the Commission's
aforesaid letter dated January 28, 2002.

Yours faithfully,

P. Sengupta
(P.K. Sengupta)
Secretary

Encl : As stated above.

Confidential.

Records/2000-01/37(II)/533.

28th January 2002.

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Ministry of Home Affairs,
Government of India,
New Delhi-110001.

Sir,

I am directed to refer to U.O.No.800/6/C/I/90-Pol dated September 21, 1990 of the Prime Minister's office addressed to Sri Naresh Chandra, the then Home Secretary, Government of India wherewith a letter dated September 13, 1990 of Sri Amiya Nath Bose addressed to Sri V.P. Singh, the then Prime Minister of India, was sent for appropriate action. Xerox copies of the said letter and the note are available in file No. 800/6/C/I/90-Pol. of the Prime Minister's office on the subject, "Netaji Subhas Bose-Bringing in the ashes of".

I am also directed to request you to kindly let the Commission know what was the outcome of the action, if any, taken on the said letter dated September 13, 1990 of Shri Amiya Nath Bose wherewith a xerox copy of the news titled, "Fresh clue on Netaji's death" published in the Times of India (New Delhi) dated September 3, 1990 was sent to the Prime Minister.

Yours faithfully,

(P.K. Sengupta)
Secretary

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinscb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

No. JMC/Records/N.Delhi/99-2000/37(III) Kolkata, dated 1st August'2002.
/235.

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.



16489

S i r,

I am directed to refer to the endorsement No. 870/11/P/10/93-Pol. dated 08.04.1993 of the Prime Minister's Office to the Home Secretary, New Delhi, wherewith copies of the letter dated March 22, 1993 of Dr. Shankar Dayal Sharma, the then President of India, along with a copy of the letter dated March 13, 1993, jointly authored by Shri Triguna Sen, Shri Amiya Kumar Mazumder, and Shri Aurobinda Nath Bose, some of the distinguished citizens of Calcutta, addressed to Dr. Shankar Dayal Sharma, the then President of India, were forwarded to the Home Secretary, New Delhi, for appropriate action (vide copies thereof enclosed).

I am directed to request you to kindly report to the Commission immediately what action was taken on the aforesaid letters and what was the outcome thereof.

An early reply will be highly appreciated.

Yours faithfully,

Enclosures: Six(6) Sheets.

(P. K. Sengupta)
Secretary

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12/14/13/2003
On Shri...
N



राष्ट्रपति
भारत गणतंत्र
PRESIDENT
REPUBLIC OF INDIA

22 March 1993

My dear Shri P.V. Narasimha Rao,

During my recent visit to Calcutta, Prof. Samar Guha, Shri Triguna Sen, Shri Amiya Kumar Mazumdar and other eminent citizens met me and pressed me to endorse to you the requests contained in the letter which I forward herewith to you.

With sincere regards
Yours sincerely,

S. D. Sharma
(Shanker Dayal Sharma)

Shri P.V. Narasimha Rao,
Prime Minister of India,
New Delhi 110 011.

Encls: As above

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38

H.S.P.
P. Shankar

To
Dr. Shankar Dayal Sharma
President of India
Raj Bhavan
Calcutta

March 13/1993

1. Sub: Investigative Inquiry about Disappearance of Netaji Subhas
Chandra Bose.

Respected Rastropetiji,

1997 is the year of Centenary of Netaji Subhas Chandra Bose. It is our sacred national duty to know before that, what really happened to the epic hero of our national liberation.

It was reported by the Tokyo Radio quoting the news of the Damai Agency that Netaji Subhas Chandra Bose died at Taihoku in Formosa in an air crash on 18th Aug 1945. But this report of the private news agency was neither officially confirmed by the Govt. of Japan, nor by any other concerned Govts. of India, UK and USA. Mahatma Gandhi and Lord Wavell, the then Viceroy of India, didn't accept the Radio report as true. Thus, the riddle about the report of Netaji's death continued to remain unresolved.

In 1956 Shah Nawaz Committee was set-up to inquire into the 'death report' of Netaji Subhas Chandra Bose. The Committee's report was not found satisfactory. In 1971 Mrs. Indira Gandhi had instituted an One-man Judicial Commission under justice G.D.Khosla to 'inquire into disappearance of Netaji Subhas Chandra Bose'. Findings of the report of this Commission, as also of the Shah Nawaz Committee's, were rejected by the then Prime Minister, Shri Morarji Desai. He made a statement about it in Lok Sabha on 3rd Sept 1978. He also suggested an Investigative Inquiry about disappearance of Netaji to finalise the sensitive issue of what really happened to Netaji Subhas Chandra Bose.

A representation, thereafter was made to the Govt. of Shri V.P.Singh for an Investigative Inquiry. This Govt. agreed 'to take up the matter'. But it was Govt. of Shri Chandra Sekhar, which informed in writing regarding starting of 'high level Investigative Inquiry about disappearance of Netaji Subhas Chandra Bose'. But before this inquiry could be completed the Govt. of Shri Chandra Sekhar resigned.

5 2 40

The former President of India, Shri R.Venkatraman, took active interest in this matter. He directly advised Shri V.P.Singh and Shri Chandra Sekhar to take up the matter in right earnestness.

Before he left his office Shri Venkatramanji twice advised our present Prime Minister Shri P.V.Narasimha Rao, to finalize the issue of what really happened to Netaji Subhas Chandra Bose.

A fresh representation has been made to you, to the present Prime Minister, to the Minister of Home Affairs and the Minister of External Affairs for completing the Investigative Inquiry that was started by the Govt. of Shri Chandra Sekhar.

An Investigative Inquiry doesn't mean any further Public Inquiry, but requires findings of documents about the report of the plane crash involving Netaji which are available with the Govts. of UK, USA, Taiwan and Russia.

Immediately after the report of the alleged plane crash involving Netaji, the then Viceroy of India, Lord Wavell; Adml. Mountbatten, Chief of the S.E.Asian Allied Army Command and Genl. Mac Arthur, Chief of the US Pacific Army started three separate and independent inquiries to verify the truth about the reported aircrash involving Subhas Chandra Bose on Aug 18, 1945. None of the findings of these reports have been published nor either the Shah Nawaz Committee or the Khosla Commission asked for these reports from the Govts. of UK and USA.

Another independent inquiry to ascertain if any aircrash had taken place at Taihoku, with Subhas Chandra Bose, on 18 Aug 1945 was conducted by the Mayor of Taipei of Taiwan. This report has also not been published nor asked for publication by the Govt. of India.

Further, according to the intelligence Report of the Govt. of Wavell during 1945-46, Netaji Subhas Chandra Bose reached Russia under the cover of the story of aircrash and was living there with an assumed name of Ghilzai Malang. The British document of 'Transfer of Power, - 1942-47' which was published in 1975, also confirmed the report of Netaji's taking asylum in Soviet Russia.

A letter written by Khurshed Behan, a very trusted disciple of Mahatma Gandhi, to the US journalist, Louis Fischer, which has been recently found in the archives of USA Princeton

2 41

University positively asserted that Gandhiji believed till 22nd July 1946 that Netaji Subhas Chandra Bose was in Soviet Russia.

The Govt. has been requested to institute an Investigative Inquiry to make high level approach to the Govts. of UK, USA and Taiwan for availing the above inquiry reports and their findings. And also to approach the new Govt. of Russia to reveal all papers, documents, reports, etc. about Subhas Chandra Bose available in the files of the KGB and in the secret archives of Stalin.

If these reports of international inquiries are available then it will be possible for the Govt. of India to come to a final decision, whether Netaji Subhas Chandra Bose actually died in the reported aircrash at Taihoku on Aug 18, 1945 or he managed to escape to Soviet Russia under the cover of the story of his aircrash death.

Such Investigative Inquiry is possible only if a high level approach is made to the Govt. of UK, the Govt. of USA, Govt. of Taiwan and the Govt. of Russia and by our government.

We hope, you will agree that to finally know what really happened to Netaji Subhas Chandra Bose is a great national task for India. We, therefore, hope you will advise the Prime Minister to undertake a high level Investigative Inquiry for availing foreign documents for arriving at a decisive conclusion about the destiny of Netaji.

II. Sub: Celebration of 50th year of Azad Hind Govt.

We make a further appeal to you to ask the Central Govt. to observe the Golden Jubilee of the Formation of the Provisional Govt. of Free India on this year on 21st October of 1993. Mrs. Indira Gandhi ~~xxxx~~ took a very patriotic initiative in officially celebrating the Silver Jubilee of the Azad Hind Govt. on 21st October 1968 in a befitting manner. Today, the message of the National Unity of Netaji'

42
Ard Hind Revolution is an urgent necessity for India to meet the present national crisis facing our country.

With regards and namaskar,

Yours sincerely,

Jyeguna Sen.
Omiga Kinner Mazumdar
Haldimata Nala Dur



7

43

PRIME MINISTER

New Delhi
March 25, 1993

Dear Rashtrapatiji,

I have your letter of 22nd March, 1993,
forwarding a letter received by you from some
distinguished citizens of Calcutta.

1.20.5.6/c

With regards,

Yours sincerely,

P.V. Narasimha Rao
(P.V. Narasimha Rao)

Dr. Shanker Dayal Sharma
President of India
Rashtrapati Bhawan
New Delhi.

No. 870/11/P/10/93-Pol

Dt.08.04.93

Copy along with a copy of letter forwarded
for appropriate action to Home Secretary, New Delhi.

n
(Prabhat C. Chaturvedi)
Director

P.C.
P.11

*Issued
11/4/93*

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
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Fax : 0091-033-252-2765

No. JMCIR/Records/N.Delhi/99-2000/37(III) Kolkata, dated, 1st August '2002.
/236(3).

From : Shri P.K. Sengupta,
Secretary

- To : 1) The Secretary,
Prime Minister's Office,
South Block,
New Delhi-110001.
- 2) The Secretary,
Ministry of Home Affairs
Government of India,
North Block,
New Delhi-110001.
- 3) The Secretary,
Ministry of External Affairs,
Government of India,
South Block,
New Delhi-110001.



16488

S i r,

I am directed to send herewith xerox copies of the d.o. letter dated January 3, 1974 of Shri Samar Guha, M.P. addressed to Smt. Indira Gandhi, the then Prime Minister of India, and the reply thereto dated January 9, 1974 given by Smt. Indira Gandhi to Shri Samar Guha, M.P. which appear at cor. pages 126 to 128 of the Prime Minister Office's Secret File No. 2(64)-56-70-PM Vol.V and to request you to kindly send immediately authenticated true copies of all the documents, copies of which were lying in P.M.O. File No. 12(226)/56-PM since destroyed, as also authenticated true copies of all those files which contain the said documents, the copies of which were lying in the said destroyed file as stated by the then Prime Minister in her aforesaid d.o. letter dated January 9, 1974.

Yours faithfully,

(P. K. Sengupta)
Secretary

Encls. : As stated above.

Prof. SAMAR GUHA
MEMBER OF PARLIAMENT
(LOK SABHA)



27, South Avenue,
NEW DELHI-11.

3rd January, 1974.

Dear Prime Minister,

S.N.79

X S.N.75

In continuation of my letter dated 21st December, 73,
I have to inform you further that the 'Prime Minister
Secretariat files' which have been ^X sent to Netaji Inquiry
Commission show that a very vital document, No.12(226)/56-PM
regarding "Investigation into circumstances leading to the
death of Subhash Chandra Bose" has been destroyed.

PM 4.1.74

I am enclosing herewith a copy of the notings
over the files.

I don't know whether such a vital file has been
destroyed or withheld. I would request you to investigate
into the matter and find out whether the files mentioned in
my earlier letter to you as also about one in it, have really
been destroyed and if so, the reasons thereof. I hope you
will consider it essential that these vital files should be
forwarded to the Netaji Inquiry Commission, for arriving at
a correct conclusion about the matter relating to dis-
appearance of Netaji Subhash Chandra Bose.

I am expecting replies to my letters addressed to
you in connection with Government files supplied to the
Netaji Commission.

With kind regards,

Yours sincerely,

Samar Guha
(SAMAR GUHA)

Smt. Indira Gandhi,
Prime Minister of India,
NEW DELHI.

p-24 (W)
S.No 84 & 85

130 PM/74
7/11

46

~~107~~

Prime Minister's Secretariat Files

1. 23(156)/51-PM - Indian National Army (INA) in the Far East.
 2. 23(11)56-57-PM - I.N.A. Treasure.
 - ✓ 3. 12(226)/56-PM - Investigation into the circumstances leading
(written in pencil - since destroyed) ✓ to the death of Subhash Chandra Bose.
 4. 2(67)/56-PM - Widow and daughter of Shri Subhash Chandra Bose -
Misc. Correspondence with and about.
 5. 2(381) 60-62-PM - Proposal to bring Shri Subhash Chandra Bose's
Ashes from Tokyo and to put up memorial to him
in front of Red Fort in Delhi.
-

No. 11-PMO/74.

New Delhi,
January 9, 1974.

Dear Shri Guha,

I have your letter of the 3rd January regarding the files supplied to the Netaji Inquiry Commission.

A misunderstanding seems to have arisen about the file that has been destroyed because of the subject heading given to it. I can assure you that this file contained only copies of certain documents which are still available in other files. This file was destroyed only because it contained copies.

I received your letter of the 21st December also. But since it mainly concerned the Ministry of Home Affairs, I passed it on to my colleague, the Home Minister, with a request to send you a reply.

Yours sincerely,

(Indira Gandhi)

Shri Samar Guha, M.P.,
27, South Avenue,
New Delhi-110011.

SND.11(R)

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Fax : 0091-033-252-2765

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/G3

e-mail : jmcinse@cal.3.vsnl.net.in

No. JMCI/ Meeting-Proceedings(Follow Up)Kolkata, dated, 01. 08. 2002.
99-2000/48(IV)/237(7).

REGISTERED WITH A, D.

16406-SM

From : Shri M. Roy, IAS (Retd.),
Officer on Special Duty

- To :
- 1) The Secretary,
Ministry of Home Affairs, Govt. of India,
North Block, New Delhi-110001.
 - 2) The Secretary,
Ministry of External Affairs, Govt. of India,
South Block, New Delhi-110001.
 - 3) The Secretary,
Prime Minister's Office, Govt. of India,
South Block, New Delhi-110001.
 - 4) The Secretary,
Cabinet Secretariat, Govt. of India,
Bikaner House (Annexe), Sahajahan Road,
New Delhi-110011.
 - 5) The Secretary,
Ministry of Defence, Govt. of India,
South Block, New Delhi-110001.
 - 6) Director General, National Archives of India,
Janpath, New Delhi-110001.
 - 7) Director, Intelligence Bureau,
Govt. of India, New Delhi-110001.

S i r,

I am directed to send herewith xerox copies of the proceedings dated March 21 and 22, 2002, June 10, 2002, and July 16, 2002 and of the Commission's Status Reports as on 19.03.2002 and 06.06.2002 for your kind information and favour of taking necessary action.

Yours faithfully,

(Signature)

(M. Roy)

Officer on Special Duty

Encls : As stated above.

1204/13/200

On Status file
14/8
pm N

Proceedings dated 21st March 2002 (Fourteenth-DI)
Held at the Seminar Hall, Annexe Building, Mahajati Sadan,
166, Chitta Ranjan Avenue, Kolkata-700007

21.03.2002

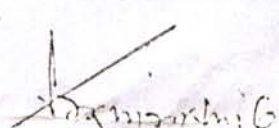
Of the six witnesses summoned to-day Shri Subrata Bose, Smt. Chitra Ghosh, Shri Supriyo Bose, Smt. Bithi Chatterjee and Shri Satyabrata Tapadar are present. Prayer for time by another witness summoned, Dr. Susanta Kr. Mitra, was allowed vide order dated 08.03.2002.

Smt. Bithi Chatterjee, Shri Subrata Bose, Smt. Chitra Ghosh and Shri Satyabrata Tapadar have been examined as CW.71, CW.72, CW.73 and CW.74 respectively. Shri Subrata Bose in his examination has testified that the statements made in the affidavit filed by him jointly with Smt. Chitra Ghosh and Shri Supriyo Bose before the Commission are correct. The affidavit is marked Exhibit 94. The signatures of Shri Subrata Bose (CW.72) and Smt. Chitra Ghosh (CW.73) on the affidavit have been marked Exhibits 94/1 and 94/2 respectively. A letter dated 01.12.95 written by Smt. Chitra Ghosh (CW.73) to the then Prime Minister has been marked Exhibit 95 (Xerox copy retained).

Shri Supriyo Bose who filed the affidavit along with Shri Subrata Bose (CW.72) and Smt. Chitra Ghosh (CW.73) has not been examined as his evidence would be repetitive

Shri Satya Brata Tapadar (CW.74) has asserted that his statement made in his affidavit filed on 28th January, 2000 and Supplementary affidavits filed on 11th April, 2000, 19th January, 2001 and 18th January, 2002 are correct. The said affidavit and the supplementary affidavits have been marked Exhibits 96, 97, 98 and 99 respectively. His signatures on the affidavit and on the respective supplementary affidavits have been marked Exhibits 96/1, 97/1, 98/1 and 99/1. The booklet titled as "What happened to Netaji after 18th August, 1945" authored and published by him is marked Exhibit 100.

Status report as on 19.03.2002 (forenoon) prepared by the Commission has been circulated to all the parties present. Proceeding is adjourned till 11 AM to-morrow for hearing on Status Report.


(M. K. Mukherjee)

Chairman

Proceedings dated 22nd March 2002 (Fourteenth-D2)
Held at the Seminar Hall, Annexe Building, Mahajati Sadan,
166, Chitta Ranjan Avenue, Kolkata-700007

22.03.2002

At the outset, Commission wanted to know from Mr. Tarakeswar Pal, Ld. Senior Counsel of the Govt. of India, about the result of inquiry for finding out further relevant records, as two months' time prayed for by Smt. Sangeeta Gairola, Joint Secretary, Ministry of Home Affairs, Govt. of India on December 22nd, 2001 and allowed by the Commission, had already elapsed. Shri Pal informed the Commission that two Committees, one for searching the documents within the Ministry and the other for the other departments and the Ministries, had been formed, but the reports of the Committees had not yet reached the Ministry of Home Affairs. So there was the delay in intimating the Commission about the result of further inquiry. Commission expressed its displeasure for dealing with the matter in lackadaisical manner. Commission would pass necessary order, if need be, at the appropriate time.

The deponent Shri Nanda Lal Chakraborty, referring to page 1, paragraph 3, page 3, paragraphs 7(a)(i), 7(a)(ii), 7(a)(iv) of the Status Report, wanted to know about the compliance by the respective Ministry, Govt. of India and requested the Commission to take up the follow-up action where order of the Commission had not been complied with by the respective Ministries.

As regards paragraph 7(a)(i) of the Status Report, the Ministry of External Affairs filed an affidavit in compliance with the order of the Commission on their prayer at the last sitting in Delhi. They stated that they had no further documents. As regards paragraph 7(a)(ii) of the Status Report, in the paper received by the Commission nothing relevant to the terms of reference of the Commission was found.

Follow-up action, wherever necessary, would be taken up.

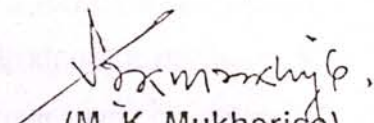
The deponent, Shri Nanda Lal Chakraborty and Shri Subrata Bose suggested that Commission should also visit Vietnam and Taiwan while visiting Japan, as Mrs. Prova Jagannathan did not appear before the Commission though she was summoned more than once.

Shri Subrata Bose further suggested that notice regarding foreign visits by the Commission should be sent to the deponents sufficient ahead so that deponents could arrange for Visas, Passports, etc. to take part in the hearing of the Commission in Japan and other places abroad.

The suggestion would be considered at the appropriate time.

The deponent, Dr. Sushanta Kumar Mitra, pointed out a mistake in the last line but one of paragraph 13(b) at page 9 of the Status Report wherein "October 28, 1978" had been typed instead of "August 28, 1978."

The mistake was rectified accordingly.


(M. K. Mukherjee)

Chairman

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JUSTICE M.K. MUKHERJEE COMMISSION OF INQUIRY

Proceedings dated 10th June, 2002 (Fifteenth)
Held at the Seminar Hall, Annexe Building, Mahajati Sadan,
166, Chitta Ranjan Avenue, Kolkata-700007

10.06.2002

Articles and documents recovered from the dwelling
place of one 'Gumnami Baba' in Faizabad and since
brought to the Commission's office in Kolkata.

The parties and/or their authorised representatives present today, have been heard on the relevance of the above items to the terms of reference of the Commission. It has been suggested by the parties that the written comments found in the different books, in the margin of newspaper-clippings and on other documents should be examined by a team of, at least, three Handwriting Experts with the specimen handwritings of Netaji Subhas Chandra Bose. Shri Nanda Lal Chakraborty (JMCI/11/2000) has further suggested that the opinion expressed by some Handwriting Experts in this regard, as published in the 'Hindustan Times', be verified by the Commission.

It has also been suggested by them that the recovered articles like teeth and pipes be subjected to DNA tests.

Appropriate steps for examination of the handwritings found on the different books, in the margin of the newspaper-clippings and on other documents would be taken after their proper scrutiny. Steps for examination of the aforesaid articles by DNA Experts would also be taken.

Witnesses

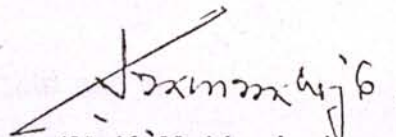
Shri Kartick Chakraborty, office Secretary of Netaji Research Bureau at Netaji Bhavan who has been authorised by Smt. Krishna Bose, Chairperson of the Bureau to appear before the Commission and produce specimens of

the documents containing handwritings and signatures of Netaji Subhas Chandra Bose in Bengali, English and Hindi, has produced photostat copies of specimen of the documents in Bengali and English and photostat copies of the signatures in Bengali, English and Hindi in compliance with the summons JMCI/Meeting-Hearing/99-2000/57(II)/86(2) dated May 20, 2002. He has been examined on oath as C.W.75. The letter of authority has been marked Exhibit 101. Photostat copies of the documents and specimen signatures have been marked Exhibit 102 collectively.

Status Report

The parties and / or their lawyers present have been heard about the Status Report as on 06.06.2002, prepared by the Commission and circulated to all the parties present, with particular reference to the availability of the documents from the different ministries, probable date of visit to Japan, Taiwan, Vietnam, Singapore and the classified records lying in UK.

Further follow up action on these issues would be taken up in due course.


(M. K. Mukherjee)

Chairman

JUSTICE M.K. MUKHERJEE COMMISSION OF INQUIRY

Proceedings dated 16th July, 2002 (Sixteenth)
Held in the Conference Hall of the Circuit House at Jalpaiguri

16.07.2002

Of the six witnesses summoned to-day Shri Sudhangshu Kumar Poddar, Shri Sudhir Kumar Poddar, Shri Lalit Mohan Chowdhury, Shri Bikash Chandra Guha and Shri Sujit Biswas are present.

Shri Sudhangshu Kumar Poddar, Shri Sudhir Kumar Poddar and Shri Lalit Mohan Chowdhury have been examined as CW 76, CW 77 and CW 78 respectively.

Shri Bikash Chandra Guha has been examined as CW 79. Shri Guha in his examination has identified the affidavit filed by him before the Commission and his signature thereon. The affidavit and his signature on the affidavit have been marked Exhibits 103 and 103/1 respectively. Some handwriting alleged to be of Swami Saradanandaji on the letter-head of Shoulmari Ashram has been marked Exhibit 104. One photograph alleged to be of Shrimat Saradanandaji has been marked Material Exhibit VI.

Shri Sujit Biswas has been examined as CW 80. One Inland letter written by him to the Commission has been marked Exhibit 105. An article written by him in Bengali Periodical 'Achalpatra' has been marked Exhibit 106.

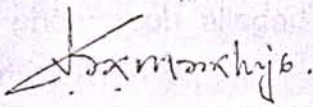
During discussion with the local people of Shoulmari at the time of visit of the Commission to Shoulmari Ashram in the district of Cooch Behar on 15.07.2002 it was felt that Shri Rajat Kanti Bhadra and Shri Dinabandhu Dutta who were and still are connected with the Ashram should be examined as witnesses. They were therefore asked to appear before the Commission today. They are present.

Shri Rajat Kanti Bhadra has been examined as CW 81. Thirteen printed leaflets filed by him are collectively marked Exhibit 107. A booklet captioned as "Atma Bikasher Pratham Sopan" compiled by Dr. Ramani Ranjan Das, the then Secretary of the Ashram, filed by CW 81 has been marked Exhibit 108.

Shri Dinabandhu Dutta has been examined as CW 82.

One application has been filed on behalf of the other witness Shri Nikhil Chandra Ghatak praying for recording his evidence to-morrow on Commission at his residence on the ground of his illness. The prayer has been considered and allowed.

Shri P. K. Sengupta, Secretary of the Commission, is hereby appointed Commissioner for recording the evidence of Shri Ghatak to-morrow in his residence at Raikatpara, P.O. & Dist : Jalpaiguri.


(M. K. Mukherjee)
Chairman

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Status Report as on 19.03.2002 (forenoon) showing action taken on/compliance with orders/directions including those contained in the proceedings dated December 20, 2001 read with the proceedings dated 23.03.2000, 13.06.2000, 31.08.2000, 28.09.2000, 23.11.2000, 22.12.2000, 17.01.2001, 04.04.2001, 13.06.2001, and 17.10.2001 of the Commission.

1. Copies of the Status Report as on 12.12.2001 and copies of the proceedings dated 19.12.2001 and 20.12.2001 have been sent to the Secretaries, Ministry of Home Affairs, Ministry of External Affairs, Prime Minister's Office, Cabinet Secretariat, Ministry of Defence, as also to the Director, Intelligence Bureau, and the Director General, National Archives of India under Commission's letter No.JMCI/Meeting-Proceedings (Follow Up)/48(Vol.III)/514(7) dated 16.01.2002 sent to them by Registered Post with A/D for their kind information and favour of taking necessary action.
2. As early as on September 5, 2001 the Director General of National Archives, Government of India, was requested by Commission by its d.o. No.JMCI/DOC(FOR)/99-2000/56(Vol.II)/286 of that date to inform the Commission whether they have obtained the Micro-Films/Micro-Fiches of the files/documents which were earmarked by the team of the Commission after their study of the relevant files/documents in the British Library and the Public Records Office and also authenticated xerox copies of the entire File No.K 148/A of Mountbatten papers in the Hartley Library of the Southampton University, all of which they (National Archives) undertook to furnish to the Commission. Even though six months have since elapsed those documents are yet to be received by the Commission.
3. The Secretary, Ministry of Home Affairs, Government of India, was requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37/305 dated September 18, 2001 to let the Commission know immediately what action was taken on the Rajya Sabha Starred Question No. DY. 2198 by Shri K.R. Malkani, M.P. due for answer on 06.03.1996 as mentioned at notesheet page 1 of Prime Minister's Office File No.915/II/C/6/96-Pol. as also on the letter dated November 20, 1996 of Shri Ramkrishna Hegde

addressed to the then President of India, indicating the results of the said actions. The Secretary, Ministry of Home Affairs was also requested in the said letter of the Commission to send to the Commission within six weeks an authenticated xerox copy of the information furnished by the Government of U.K. as stated in the letter dated 12.03.1999 of the Ministry of Home Affairs, appearing at cor.page 196 of the said file of the Prime Minister's Office. Copies of the aforesaid notesheet page and cor.page were enclosed with the Commission's said letter dated September 18, 2001. The information and documents called for are still awaited.

4. Further affidavit, as called for from the Ministry of Defence, Government of India, by Commission's letter No.JMCI/Record/-N.Delhi/99-2000/37/57 dated May 3, 2001 regarding existence/non-existence/availability/non-availability/destruction, etc. of the complete records of the proceedings of the trial of I.N.A. personnel, is still to be submitted by the said Ministry before the Commission.
5. A xerox copy of the report captioned, "Sleeping Bomb lies in Netaji Vault" authored by Shri Chandan Nandy was sent to the Secretary, Ministry of Home Affairs, Government of India, with Commission's letter No.JMCI/Records/N.Delhi/99-2000/-37/108 dated 28.05.2001 in terms of the letter No.10/SPS-11/-2001(20)-306 dated 17.05.2001 of the Cabinet Secretariat, Government of India, and the Secretary, Ministry of Home Affairs, was requested to furnish a detailed report on the contents of the said article of Shri Chandan Nandy which was published in the "Telegraph", Calcutta on March 26, 2001. The response of the Ministry of Home Affairs, Government of India, in the matter is still awaited.
6. In Commission's letter No.JMCI/Meeting-Hearing/99-2000/-57(Vol.II)/349 dated October 8, 2001 certain anomalies noticed in the photo copy of File No.915/II/C/6/96-Pol. of the Prime Minister's Office were pointed out to the Secretary of the Prime Minister's Office with the request to furnish necessary explanation/clarification in respect of the said anomalies within eight weeks from the date of receipt of the

letter. The said letter appears to have been received in the Prime Minister's Office on December 12, 2001. Their reply is still awaited.

MEAT
7.(a)(i) Shri Jayant Prasad, Joint Secretary, Ministry of External Affairs, prayed for two months' time at the time of his examination as a witness before the Commission on December 20, 2001, for filing a supplementary affidavit detailing the developments that have taken place since he filed his affidavit dated 14.12.2001 regarding availability of documents from foreign countries. The Hon'ble Chairman considered and allowed the prayer with the direction that he should also state in his supplementary affidavit whether there is any classified documents relating to the terms of reference of the Commission.

MEAT
(a)(ii) The Director (CNV), Ministry of External Affairs, Government of India, in his d.o. letter No.25/4/NGO-Vol.VII dated February 21, 2002 addressed to the Secretary of the Commission has stated inter alia : "following the scrutiny of records" being relied upon by different deponents "It was found that only one document - a record of the interview of the then Ambassador to U.S.S.R., Shri K.P.S. Menon, with Stalin - pertained to this Ministry."

(a)(iii) The said record of the interview of Shri K.P.S. Menon with Stalin received by the Commission on February 7, 2002 from the Ministry of External Affairs, Government of India, in a sealed cover was opened and read by the Hon'ble Chairman, resealed in his presence and sent back to the Ministry of External Affairs on February 11, 2002 as the Hon'ble Chairman found the said record of interview to be having no relevance whatsoever to any of the terms of reference of this Commission.

MEAT
(a)(iv) A supplementary affidavit sworn by Shri Jayant Prasad, Joint Secretary (CNV), Ministry of External Affairs, Government of India, has been received on March 4, 2002 by the Commission. In this affidavit the said Joint Secretary has stated, inter alia, that there is no other documents in the Ministry, whether classified or unclassified, relating to the terms of

reference of this Commission; that the Indian Mission in Washington has informed the Ministry of External Affairs, Government of India that all documents once declassified by the U.S. Government are no longer retained by them and are normally stored in the National Archives, Library of Congress or other similar documentation centres; that the classified documents of the U.S. Government can be requisitioned under the U.S. Freedom of Information Act, only by giving specific details of the documents; and that the said Indian Mission has further conveyed that this is a tardy and complicated process.

7.(b) At the time of her examination before the Commission as a witness on December 20, 2001, Smt. Sangita Gairola, Jt. Secy., MHA, stated inter alia that a small Committee headed by the Deputy Secretary of the Ministry of Home Affairs has been formed by the Ministry to find out further relevant records and stated that they would require another two months to continue the inquiry to find out other relevant documents. Even though the said period of two months has expired, the result of the said inquiry by the Ministry of Home Affairs is still awaited.

8. On a petition filed on behalf of the Commission the Hon'ble Allahabad High Court (Lucknow Bench) has passed an order on February 6, 2002 and permitted the Commission to bring to its head office in Calcutta the sealed box containing the documents and articles selected by the Commission and kept in a Steel Box, out of the articles and documents allegedly belonging to 'Gumnami Baba' and kept in the Steel Boxes in the District Treasury of Faizabad. Steps could not be taken to bring the said box containing the said selected articles and documents from the District Treasury of Faizabad to the Commission's head office in Calcutta with proper and adequate Police escort before completion of the elections to the Legislative Assembly of the U.P. which commenced on February 14, 2002. After completion of the said elections, some steps were taken for the aforesaid purpose; but the efforts in this regard had to be suspended because of the reported law and order situation in Faizabad. The efforts will be renewed as soon as the situation there becomes normal.

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9. The Secretary, Prime Minister's Office, has been requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(Vol.II)/536 dated 29.01.2002 to kindly send to the Commission immediately authenticated xerox copies of the rules and procedures prescribed for destruction of files/documents since it appears from the purported xerox copies of file No.23(156)/51-PM of the Prime Minister's Office as also from their communication dated September 21, 2001 that a number of papers/files of the said office were destroyed.
10. It has been stated inter alia in the affidavit dated December 19, 2001 of Smt. Sangita Gairola, Joint Secretary (IS-I), Ministry of Home Affairs, Government of India :

"The averments and allegations made therein (i.e. in the affidavits and supplementary affidavits concerned) are matters of records and subject to the consideration by the Hon'ble Commission. Some of the records available with this Ministry have been made over to the Hon'ble Commission and some others have been discovered with this affidavit (i.e. her affidavit dated December 19, 2001) for consideration by the Hon'ble Commission; and that she has further stated therein that "the Ministry of Home Affairs has also taken up the matter with Ministry of External Affairs, Ministry of Defence, Intelligence Bureau, National Archives of India, and Prime Minister's Office, to go through the documents and if necessary submit an affidavit to the Commission directly."

*The Comm has been
informed that no action
is pending in so far as
this Ministry is concerned
para 4 of Shri's Report
dt 14/7/02*

Hence, the Secretaries of the Ministry of External Affairs, the Prime Minister's Office, and the Ministry of Defence as also the Director of Intelligence Bureau, and the Director General of National Archives of India have been requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(Vol.II)/537 dated 29.01.2002 to send their respective affidavits immediately regarding the averments and allegations made in the relevant affidavits and supplementary affidavits of different deponents, the copies of which were furnished by the Commission with the Ministry of Home Affairs, Government of India.

61)

11.(a) The Secretary, Ministry of Home Affairs, Government of India, has been requested by Commission's confidential letter No.JMCI/Records/2000-01/37(II)/533 dated January 28, 2002 to let the Commission know what was the outcome of the action, if any, taken on U.O. No.800/6/C/I/90-Pol. dated September 21, 1990 of the Prime Minister's Office addressed to Shri Naresh Chandra, the then Home Secretary, Government of India, wherewith a copy of the letter dated September 13, 1990 of Shri Amiya Nath Bose addressed to Shri V.P. Singh, the then Prime Minister of India and of the enclosure thereto which is a xerox copy of the news titled, "Fresh Clue on Netaji's Death" published in the "Times of India" (New Delhi) dated September 3, 1990 were sent to the Home Secretary, Government of India, for appropriate action. It was also stated in the said letter dated 28.01.2002 of the Commission that the said letter dated September 13, 1990 of Shri Amiya Nath Bose with its enclosure and the said note dated September 21, 1990 are available in File No.800/6/C/I/90-Pol. of the Prime Minister's Office, on the subject, "Netaji Subhas Bose - Bringing in the ashes of".

The Comm has already been informed that no specific action was called for on this receipt as the letter was taken as record with the para 5 of Status Report dt 18/7/02

M.B.A.

(b) The Secretary, Ministry of External Affairs, Government of India, has been requested by Commission's confidential letter No.JMCI/Records/2000-01/37(II)/532 dated January 28, 2002 to let the Commission know as quickly as possible what was the outcome of the action, if any, taken on U.O. No.800/6/C/I/90-Pol. dated May 23, 1990 of the Prime Minister's Office endorsed to the Joint Secretary (EA), Ministry of External Affairs, Government of India, wherewith copies of the letter dated May 11, 1990 of Shri Amiya Nath Bose, the reply dated May 19, 1990 thereto given by Shri R. Sen, Joint Secretary of the Prime Minister's Office as also of the letter dated May 4, 1990 addressed to Shri V.P. Singh, the then Prime Minister of India jointly authored by Shri Ashok Nath Bose, Shri Amiya Nath Bose and Shri Subrata Bose, all nephews of Netaji Subhas Chandra Bose, were sent to bring those to the attention of the Ministry of External Affairs, Government of India. It was stated

contd...P.7.

in the said letter of the Commission that xerox copies of the aforesaid letters and the note are available in the File No.800/6/C/1/90-Pol. of the Prime Minister's Office.

(c) The Director, Press Information Bureau, Government of India, has been requested by Commission's confidential letter No.JMCI/Records/2000-01/37(II)/531 dated January 28, 2001 to find out and furnish this Commission with an authenticated true copy of the Press statement, if any, of Mahatma Gandhi which is alleged in the letter dated May 4, 1990 addressed to Shri V.P. Singh, the then Prime Minister of India, authored jointly by Shri Ashok Nath Bose, Shri Amiya Nath Bose, and Shri Subrata Bose, all nephews of Netaji Subhas Chandra Bose, to have been made in 1945 by Mahatma Gandhi to the effect that Netaji did not die in any air-crash on August 18, 1945, after he spoke in detail to Col. Habibur Rahman regarding alleged death of Netaji in an air-crash on August 18, 1945.

(d) A xerox copy of a letter dated May 4, 1990 of Sarbashree Ashok Nath Bose, Amiya Nath Bose, and Subrata Bose addressed to Shri V.P. Singh, the then Prime Minister of India, which appears at cor.pages 3 to 5 of file No. 800/6/C/1/90-Pol., of the Prime Minister's Office on the subject, "Netaji Subhas Bose - Bringing in the ashes of" has been sent to the Secretary, Ministry of External Affairs, Government of India, with Commission's confidential letter No.JMCI/Records/2000-01/37(II)/529 dated January 28, 2002 with the request to kindly procure and furnish this Commission as quickly as possible with an authenticated true copy of the report of the American Intelligence Party, as referred to in the said letter dated May 4, 1990, which allegedly went to Taihoku airport from Mc. Arthur's headquarters to make inquiries about the alleged air-crash at Taihoku on August 18, 1945.

12. During the visit of the Commission to London in July, 2001 some of the files of the Intelligence and Security Agencies of the Government of the U.K. relating to the relevant period were not allowed to be perused by the Commission on

contd...P.8.

the ground that those were classified confidential files under the order of the Lord Chancellor. The matter was taken up by the Hon'ble Chairman at personal level with the Lord Archer who assured the Commission that he would take up the matter with the Lord Chancellor. The letter dated December 1, 2001 of the Lord Chancellor addressed to the Lord Archer shows inter alia that those confidential files would not be made available to the Commission and that those files contain no information which is not already made available to the Commission. Lord Archer has been requested by the Hon'ble Chairman in his d.o. No. JMCI/Chairman's Correspondence/2000-01/71/541 dated January 31, 2002 to kindly impress upon the Lord Chancellor to give the Commission an access to those retained papers which may, hopefully, furnish some materials regarding the alleged disappearance of Netaji Subhas Chandra Bose and thereby remove all sorts of speculations and doubts in this regard. The request has not yet been heeded to.

- 13.(a) Shri Jarnail Singh, Joint Secretary to the Prime Minister's Office, has been requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/543 dated February 1, 2002 to clarify immediately to the satisfaction of the Commission his statement made in his affidavit dated December 18, 2001 filed before the Commission on December 20, 2001 that the Prime Minister's Office : "is not in a position to provide any clarifications/explanation regarding the circumstances under which Late Morarji Desai, the then Prime Minister, had made such statement on the floor of the Parliament" viz., "some further contemporary official documentary records have also become available", in view of the notes and remarks at cor. pages 26 and 27 of the Secret File No. 2/64/78-PM on the subject, "N.S.C. Bose" received by the Commission from the Prime Minister's Office which appear to show that there were official documents, notes and orders which led the then Prime Minister, Shri Morarji Desai, to make the said statement on August 28, 1978, on the floor of the Parliament (Lok Sabha).

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(b) The Secretary, Prime Minister's Office was requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/-37(II)/535 dated January 29, 2002 to send to the Commission immediately authenticated xerox copies of the Parliamentary proceedings (Lok Sabha) dated August 28, 1978 as also of the notes of the Prime Minister's Office on the subject matter discussed in the Lok Sabha on August 28, 1978 including the matter of disappearance of Netaji Subhas Chandra Bose on which Late Morarji Desai, the then Prime Minister, made his statement on the floor of the Lok Sabha on August 28, 1978.

The Director (LARRTIS) Lok Sabha Secretariat, New Delhi, as requested by the Prime Minister's Office in PMO ID. No. Pt.915/11/C/2/2000-Pol. dated 25.02.2002 has been requested to send immediately authenticated xerox copies of the Parliamentary proceedings (Lok Sabha) dated ~~October~~^{August} 28, 1978 and of other papers, if any, connected therewith.

14. The Secretaries, Ministry of Home Affairs, and Ministry of Information and Broadcasting, Government of India, have been furnished with a copy of the d.o. letter dated February 3, 1978 of Shri R.C. Mazumder (renowned historian) addressed to Shri Morarji Desai, the then Prime Minister of India and of the notes of Shri Mazumder annexed thereto appearing at cor. pages 16 to 20 of the Secret File No. 2/64/78-PM of the Prime Minister's Office and were requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/542 dated February 1, 2002 to kindly furnish the Commission as quickly as possible with documents or authenticated xerox copies thereof relevant to the various contentions of the said letter of Shri Mazumder which appear to be relevant to the terms of reference of the Commission. The documents/authenticated copies called for from them are awaited.

15. The Secretary, Ministry of Home Affairs, Government of India, has been requested by the Commission's letter No. JMCI/Records/-N.Delhi/99-2000/37(II)/534 dated January 29, 2002 to make available for perusal of the authorised representative(s) of the Commission, Vol. Nos. XVIII, XIX, and XXII and other Volumes (excepting first 17 Volumes) along with other relevant

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files/documents/records pertaining to the Khosla Commission which have not yet been sent to this Commission. The response of the Ministry of Home Affairs in the matter is awaited.

16. In reply to d.o. letter No.25/4/NGO-Vol.VII dated December 18, 2001 of the Director, (C.N.V.), Ministry of External Affairs, Government of India, the Secretary of the Commission by his d.o. No.JMCI/Overseas-Witnesses/2000-01/70/499 dated January 9, 2002 has intimated the Director, (C.N.V.) that the Commission proposes to visit Japan in the second half of March, 2002 and that the tour programme in details will be drawn up and communicated to the Ministry of External Affairs after receiving the requisite details sought for by the Commission from them.

under process
In reply to two d.o. letters both bearing No.25/4/NGO-Vol.VII dated February 21, 2002 regarding proposed visit of the Commission to Japan to examine - (a) the Witnesses in Japan, and (b) the Witnesses in Taiwan respectively of the Director (CNV), Ministry of External Affairs, Government of India, addressed to the Secretary of the Commission, the Secretary, Ministry of External Affairs has been stated inter alia by Commission's letter No.JMCI/Overseas-Witnesses/2000-01/70/600 and No.JMCI/Overseas-Witnesses/2000-01/70/601 both dated March 14, 2001 that the Commission does not possess any further details of the witnesses in Taiwan and has been requested to explore all resources at the disposal of the Ministry of External Affairs to get the addresses and further details of the witnesses in Taiwan and to expedite the matter so that the Commission can visit Japan and Taiwan for examination of ^{the} witnesses available there and inspect the places relevant to the points of inquiry as quickly as possible.

- 17.(a) The Commission by its letter No.JMCI/Records/N.Delhi/99-2000/37/559 dated February 18, 2001 has requested the Secretary, Ministry of External Affairs, Government of India, to kindly send a report to this Commission as quickly as possible on the following points :

- max*
(a) What are the records of the U.N.O. examined and whether those are exhaustive on the subject of War Criminals of the Second World War ?

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- (b) Who are the present custodians of those records examined; and
- (c) Whether the name of Shri Subhas Chandra Bose was ever included in any of the lists of War Criminals and, if so, when and under what circumstances the said name was deleted from such list/lists.

MBR
(b) The Secretary, Ministry of External Affairs, Government of India, was requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/375 dated October 22, 2001 to send as early as possible, preferably by the end of November, 2001, an authenticated true copy of the reply of the U.N. Secretariat to the purported formal request of the permanent Mission of India, Newyork, made to the U.N. Secretariat and an authenticated true copy of the documents based on which Indian Mission in Tokyo sent their confirmation as stated in the letter No. U II/103/1/98 dated October 15, 2001 of the Director, Ministry of External Affairs, Government of India.

The Director (CNV), Ministry of External Affairs, Government of India, with his d.o. letter No.25/4/NGO-Vol.VII dated February 21, 2002 addressed to the Secretary of the Commission which has been received on 01.03.2002 has claimed to have sent a copy of the note recorded by an Officer of the rank of First Secretary of the Indian Mission in Newyork as also "authenticated true copies of documents based on which our Mission (i.e. Indian Mission) in Tokyo had sent the confirmation ^{that} Netaji Subhas Chandra Bose's name did not figure in any list of War Criminals." Those documents are being examined by the Commission.

12. As early as August 23, 2001, the Commission by its letter No. JMCI/Meeting-Proceedings (Follow Up)/48(Vol.II)/274 dated August 23, 2001 requested the Secretary, Ministry of Home Affairs, Government of India, to let the Commission know, within six weeks from the date of receipt thereof which of the files/records/documents mentioned in para (a)(i) and (a)(iii) of the proceedings dated March 23, 2000 of the Commission pertain to the Prime Minister's Office, which of

Acting Secy for
S.R. dt 19/7/02

them pertain to the Ministry of Defence and which of them pertain to the Ministry of External Affairs, Government of India, to enable the Commission to take further action in the matter. No reply has yet been received from the Ministry of Home Affairs, Government of India.

19. By Commission's letter No.JMCI/Affidavit-Averments (Follow Up)/2000-2001/67/228 dated August 1, 2001 sent by Registered Post with A/D. to the Ministry of Home Affairs, Government of India, it has been stated that it is not clear from their letter No.T/12014/10/2001-IS(D.III) dated July 4, 2001 whether or not the Ministry of Home Affairs, Government of India, is at all concerned in the matter of furnishing the documents mentioned and relied upon by the deponents referred to in Commission's letter No.JMCI/Affidavit-Averments (Follow Up)/2000-2001/-67/132 dated May 30, 2001 and they were requested to file a supporting affidavit in the matter by an Officer, not below the rank of Joint Secretary of the Department within four weeks from the date of receipt of this letter. A reminder was sent to the Ministry of Home Affairs, Government of India by Commission's letter No.JMCI/Affidavit-Averments (Follow Up)/2000-2001/67/320 dated September 20, 2001 wherein they were also requested to indicate the name of the authority concerned of the Government of India against each of the documents mentioned and relied upon by the said deponents since those particulars are essentially required by the Commission to pursue effectively with the authorities concerned of the Government of India as advised by the Ministry of Home Affairs in the aforesaid letter dated July 4, 2001 for production before the Commission their respective documents concerned. The said report and the affidavit are yet to be received by the Commission from the Ministry of Home Affairs, Government of India.

- 20.(a) The Secretary, Ministry of Home Affairs has been requested to report to the Commission the action taken by the Government of India for verification of the news of imprisonment of Netaji in Russia as mentioned in cor.page 112 of Secret File No. 2(64)/56-68-PM of the Prime Minister's Office, the details of verification actually made and outcome thereof.

(b) The Secretary, Ministry of Home Affairs, Government of India, has also been requested to send an authenticated true copy of the news which claimed that Netaji Subhas Chandra Bose had spoken from Moscow radio after the Taskent Agreement as mentioned at cor. page 153 of the Secret File No.2(64)/56-68-PM of the Prime Minister's Office, the full text of the radio speech, the full particulars of the student in the name of Subhas Chandra who allegedly made the broadcast and the true copy of the report sent by the Radio Moscow authority in the matter.

(c) The Secretaries, Ministry of Home Affairs, and Ministry of External Affairs, Government of India, has been requested to report to the Commission the details of action taken on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P. (Lok Sabha) addressed to Shri V.V. Giri, the then President of India which is lying at cor. pages 177 and 177(a) of Prime Minister Office's Secret File No.2(64)/56-68-PM and the outcome thereof since the said letter appears to contain some important matters relevant for the purpose of inquiry of the Commission.

21.(a) The Secretary, Ministry of External Affairs, Government of India, has been requested to report to the Commission immediately the outcome of the action referred to in para 2 of the d.o. letter dated January 30, 1970 of the Director (EA), Ministry of External Affairs, addressed to Sri Srinivasabardhan, Joint Secretary, Ministry of Home Affairs, Government of India, lying at cor. page 27 of the Prime Minister Office's Secret File No.2(64)/56-70/PM-Pol. Vol.V as also to send authenticated xerox copies of the relevant documents, if any, received from the U.K., the U.S.A., the U.S.S.R., and Japan by the Ministry of External Affairs as a result of the action taken by them.

(b) The Secretaries, Ministry of Home Affairs, and Prime Minister's Office, Government of India, have been requested to send to the Commission true copies of Vols. I and II of Prime Minister Office's File No.F-2(64)/56-66-PM and of Prime Minister's Office File No.2(67)/56-62-PM, referred to

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in U.O. Note dated 04.08.1972 of the Prime Minister's Secretariat sent to the Ministry of Home Affairs, Government of India, lying at cor.page 64 of Prime Minister Office's Secret File No.2(64)/56-70-PM. Vol.V and in the Khosla Commission's d.o. letter dated July 5, 1974 which is lying at cor.page 144 of Prime Minister Office's said Secret File.

(c) The Secretary, Ministry of Home Affairs, has been requested to report to the Commission immediately the action taken on the points made by Shri Samar Guha in his d.o. letter dated December 21, 1973 addressed to the Prime Minister (vide cor.pages 116 to 122) of Prime Minister Office's Secret File No.2(64)/56-70-PM. Vol. V, other than those points of the said d.o. letter specifically dealt by Shri Tandon, Joint Secretary to the Prime Minister in his U.O. No. PMS-370 dated 05.01.1974 vide cor.page 164 of the said file.

(d) The Secretary, Prime Minister's Office is being requested to report immediately whether any reference was made by the Prime Minister's Office to the head of the Department, out of which the Prime Minister's Secretariat was created and/or to the head of the Department which became the custodian of the two documents mentioned at sub-paras (1) and (2) of the d.o. letter dated January 1, 1974 of the Private Secretary to the Prime Minister addressed to the Director, Nehru Memorial Museum and Library (vide cor.page 123 of Prime Minister Office's Secret File No. 2(64)/56-70-PM. Vol. V), consequent upon the creation of the Prime Minister's Secretariat, to locate the said two vital documents referred to at sub-paras (1) and (2) of the aforesaid d.o. letter dated January 1, 1974.

(e) The Secretaries, Ministry of Home Affairs, and the Prime Minister's Office are being requested to send to the Commission immediately an authenticated true copy of the answer of the Government to the Lok Sabha Starred Question D. No.3424 (vide cor. page 132) of the Prime Minister Office's Secret File No.2(64)/56-70-PM. Vol. V as also of the Government notes on the supplementaries regarding the said Lok Sabha Questions.

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22. The documents received from different Archives in the Russian Federation by the Russian Foreign Office at the behest of the Indian Mission in Moscow and sent to the Commission by the Ministry of External Affairs, Government of India, along with their English translation of those documents are required to be scrutinized by the Commission on getting proper verification of the correctness of the said English translation with the help of suitable translators from Russian to English. The Commission has already got some names of such translators.

Status Report as on 06.06.2002 showing action taken on / compliance with orders / directions including those contained in the proceedings dated March 22, 2002 read with the proceedings dated 23.03.2000, 13.06.2000, 31.08.2000, 28.09.2000, 23.11.2000, 22.12.2000, 17.01.2001, 04.04.2001, 13.06.2001, 17.10.2001 and 20.12.2001 of the Commission.

1. Copies of the Status Report as on 19.03.2002 (Forenoon) and copies of the proceedings dated 21.03.2002 and 22.03.2002 of the Commission have been sent to the Secretaries, Ministry of Home Affairs, Ministry of External Affairs, Prime Minister's Office, Cabinet Secretariat, Ministry of Defence, as also to the Director General, National Archives of India, and the Director, Intelligence Bureau, Government of India, under Commission's letter Nos. JMCI/Meeting-Proceedings (Follow Up)/48/46 to 52, all dated 29.04.2002, for necessary action at their end.
2. The Commission has been persistently asking the Ministry of Defence for their further affidavit on existence/non-existence/availability/non-availability, etc., of the complete records of the proceedings of the trial of the I.N.A. personnel.
3. The Ministry of Home Affairs, the Ministry of External Affairs, the Prime Minister's Office, the Ministry of Defence, and the National Archives of India are being pursued for submission of their affidavits/supplementary affidavits regarding the averments and allegations made in the relevant affidavits and supplementary affidavits of different deponents and furnishing the original or authenticated copies of the documents referred to by the said deponents. The affidavit and the enclosures thereto received from the Intelligence Bureau are under scrutiny.
4. Xerox copies / authenticated copies of various files of the Government of India as received from time to time are being scrutinized and further references are being made to the Government of India to elicit further information/documents in appropriate cases.
5. Re : Classified Documents in the U.K.
A reply has since been received from the Lord Peter Archer by his d.o. letter dated May 3, 2002 wherein he has stated inter alia : "I fear that my powers of persuasion have not secured their release..... If you and the Government of India consider it essential to take this forward, I can only suggest that there may be greater success if diplomatic representations were made between Governments." The Ministry of External Affairs is being persuaded again to take up the matter with the Government of the U.K.

6. The Hon'ble Chairman has decided to express his views at the appropriate stage on the report given by the Ministry of External Affairs about non-availability of "further contemporary official documentary records" as referred to by the then Prime Minister in his statement made in the Lok Sabha on 28.08.1978.
7. Further response from the Ministry of External Affairs regarding finalisation of the visit of the Commission to Japan and Taiwan is still awaited.
8. Some documents collected by the National Archives of India from the U.K. as per requisition of the Commission have recently been received by the Commission which are being scrutinized.
9. The Commission has received from the Ministry of External Affairs some papers which indicate that the name of Netaji Subhas Chandra Bose does not appear in the list of 'War Criminals'. Those papers are being scrutinized.
10. The reply of the Prime Minister's Office in respect of the anomalies noticed by the Commission in the photo-copy of Prime Minister Office's file No.915/11/C/6/96-Pol. is under scrutiny.
11. The documents and articles allegedly belonging to 'Gumnam Baba' have since been brought from Faizabad Treasury. While some of them have already been scrutinized, the others are in the process to ascertain their relevancy, if any.
12. The authenticated xerox copies of the rules and procedures prescribed for destruction of files/documents of the Government of India as called for are yet to be received from the Prime Minister's Office.
13. The documents received from different Archives in the Russian Federation through the Ministry of External Affairs, Government of India, along with their English translation are being scrutinized by the Commission on getting verification of the correctness of the said English translation from Dr. (Mrs.) Purabi Roy.

8188/Div(15.2)/02
12/8

500-1218
JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Fax : 0091-033-252-2765

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Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinscb@cal.3.vsnl.net.in

REGISTERED WITH A/D.
No. JMCII/ Stat.Rept./99-2000/33A/246.

Kolkata, dated, 07. 08. 2002.

255/ISD-III/02
12/8/02
From : Shri M. Roy, IAS (Retd.),
Officer on Special Duty

To : Shri Mukesh Mittal,
Deputy Secretary (IS-I),
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

Sub : Status Report from 01.07.2002
to 31.07.2002.

Ref : Your office letter No.I/12014/
1/2000-IS (D.III) dt. 07.02.2000.

S i r,

I am directed to forward herewith a 'Status Report' of the Secretary of Justice Mukherjee Commission of Inquiry, for necessary action at your end.

Yours faithfully,

(M. Roy)

Encl : As stated above.

Officer on Special Duty

Pl. put up urgently
the points concerning
MHA

DO D/H

Put up on status file
12/8
14/8

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Justice Mukherjee Commission of Inquiry
For Inquiry into the Alleged Disappearance of
Netaji Subhas Chandra Bose
'B' Block, (3rd floor)
11/A, Mirza Ghalib Street, Kolkata-700 087.

STATUS REPORT

(From 01.07.2002 to 31.07.2002)

- ✓ No action
1. This Status Report is in continuation of the earlier Status Report forwarded under Commission's letter No. JMCI/Stat.Rept./99-2000/33A/173 dated 03.07.2002 sent by Registered Post on 05.07.2002.
 2. The hearing of the Commission took place on 16.07.2002 in the Conference Hall of the Circuit House at Jalpaiguri, West Bengal, in course of which the Chairman examined seven witnesses. Under authority of the Chairman Shri P.K. Sengupta, Secretary of the Commission examined one ailing witness on Commission at his residence at Raikatpara, P.O. & Dist. Jalpaiguri on 17.07.2002.
 3. On receipt of the affidavit dated February 1, 2002 of Shri Falguni Rajkumar, Joint Secretary (TRG) and C.A.O., Ministry of Defence, Government of India, further affidavit has been called for, preferably within four weeks, from the Ministry of Defence, Government of India, by Commission's letter No. JMCI/Record/N.Delhi/99-2000/37/57 dated May 3, 2001, sent by Registered Post with A/D, with a request to state therein categorically as to whether the complete records of the proceedings of the trial of the I.N.A. personnel, which are prima-facie records of historical importance, do exist or not and if not, the precise reasons for non-existence of those important records may be stated and if those records have been destroyed, the reasons for and the date and place of destruction of the records, and whether copies of Micro-films/Micro-Fiches of those documents have been preserved and if not preserved, the reasons therefor. The said further affidavit is yet to be submitted.
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P. 227/cor
*
4. Shri Kamal Pandey, Secretary, Ministry of Home Affairs, Government of India, has been requested again by Commission's letter No. JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(IV)/217 dated July 26, 2002 to kindly cause filing of the counter-affidavits or affidavits-in-opposition of the Ministry of Home Affairs, Ministry of External Affairs,

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Prime Minister's Office, Cabinet Secretariat, Ministry of Defence, Intelligence Bureau, and National Archives of India in respect of averments/contentions/allegations contained in the affidavits/supplementary affidavits of different deponents within four weeks from the date of receipt of the letter, failing which it may be presumed that they do not want to file any counter-affidavits or affidavits-in-opposition. The said letter dated July 26, 2002 of the Commission has also been endorsed to the Secretaries, Ministry of External Affairs, Prime Minister's Office, Ministry of Defence, Cabinet Secretariat as also to the Director, Intelligence Bureau and sent on 30.07.2002 by Registered Post with A/D for their information and favour of taking necessary action.

5. The Secretary, Prime Minister's Office has been requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(II)/120 dated June 14, 2002 to send a report to the Commission immediately stating :-

- i) When and under what circumstances the papers listed in page Nos.1 and 2 of the P.M.O.'s Secret File No.23(156)/51-PM were destroyed;
- ii) Whether there was any specific Order of any competent authority for destruction of those papers;
- iii) Whether any contemporary list of papers destroyed, was made under the signature of any competent authority; and
- iv) Whether any copies of those papers destroyed have been preserved and if so, what are the contents of those destroyed papers.

The said report is still awaited.

- 6.(a) The Secretary, Prime Minister's Office, has been requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/223 dated July 30, 2002 to kindly furnish the Commission as early as possible with the documents or authenticated xerox copies thereof relevant to the various contentions of the letter dated February 3, 1978 of Late R.C. Mazumder (renowned historian) addressed to Late Morarji Desai, the then Prime Minister of India, and of the note of Late Mazumder annexed to his aforesaid letter which appear at cor.pages 16 to 20 of the P.M.O.'s Secret File No.2/64/78-PM.

- PMO-MEA
- (b) The Secretaries, Ministry of External Affairs, and Prime Minister's Office have been requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/224(2) dated July 30, 2002 to report to the Commission the action taken by the Government of India for verification of the news of imprisonment of Netaji Subhas Chandra Bose in Russia as mentioned in cor.page 112 of the Prime Minister's Office's Secret File No.2(64)/56-68-PM, the details of verification which was actually made and the outcome thereof. Xerox copies of the said cor.page 112 were furnished to them.
- MSA
- (c) The Secretary, Ministry of External Affairs has been requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/225 dated July 30, 2002 to send the full text of the Radio speech as referred to in cor.page 153 of P.M.O.'s Secret File No.2(64)/56-68-PM, the full particulars of the student in the name of Subhas Chandra who allegedly made the said radio broadcast and a true copy of the report sent by the Radio Moscow Authority in the matter. A xerox copy of the said cor.page 153 was enclosed with the said letter of the Commission.
- MSA
- (d) The Secretaries, Ministry of External Affairs, and Prime Minister's Office have been requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/226(2) dated July 30, 2002 to report to the Commission immediately the details of action taken on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P. (Lok Sabha) addressed to the then President of India and the outcome of the said action. Copies of the said letter of Shri Sondhi appearing at cor.pages 177 and 177(a) of the P.M.O.'s Secret File No.2(64)/56-68-PM were enclosed with the said letters of the Commission.
- PMO
- (e) The Secretary, Prime Minister's Office has been requested again by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/227 dated July 30, 2002 to send to the Commission immediately true copies of Volms. I & II of the P.M.O.'s file Nos. F-2(64)/56-66-PM and 2(67)/56-62-PM as mentioned in cor. pages 64 and 144 of the P.M.O.'s Secret File No.2(64)/56-70-PM Vol. V.

- (f) The Secretary, Prime Minister's Office has been requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/228 dated July 30, 2002 to report to the Commission immediately the action taken on the points made by Shri Samar Guha in his d.o. letter dated December 21, 1973 addressed to the then Prime Minister appearing at cor.pages 116 to 122 of the P.M.O.'s Secret File No. 2(64)/56-70-PM Vol.V, other than those points therein specifically dealt by Shri Tandon, Joint Secretary to the Prime Minister in his U.O. No. PMS-370 dated 05.01.1974 appearing at cor.page 164 of the said file.
7. The Secretary, Prime Minister's Office has been requested by Commission's letter No.JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(III)/188 dated July 12, 2002 to furnish the Commission immediately with the documents mentioned against four Com. Nos., viz., com.11, 30(R)(2), 30(S)(2), and 30(V)(1) since those documents do not appear to have been submitted to the Commission as yet which is supposed to be done by the Prime Minister's Office as mentioned in the 3rd para of the d.o. letter No.IV/8(66)/2001-2184 dated 12.12.2001 of Shri Sanjoy Sinha, Joint Director, IB, Government of India, addressed to the Secretary of the Commission, a xerox copy of which has been enclosed with the aforesaid letter of the Commission dated July 12, 2002.
8. The Secretary, Ministry of Home Affairs, Government of India, has again been requested by Commission's letter No.JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(III)/121 dated June 14, 2002 to send immediately authenticated true copies of the papers/documents concerning Sl. Nos. (ii), (iii), (iv), (v), and (vi) of para 1 of the letter No. 281/12/1/2000-TS dated September 19, 2001 of the Cabinet Secretariat, Government of India, addressed to the Commission. A copy of the said letter of the Cabinet Secretariat has been enclosed with the Commission's aforesaid letter dated June 14, 2002. The said records are still awaited.
9. Shri Sanjay Sinha, Joint Director, Intelligence Bureau, (M.H.A.), Government of India, has been requested by Commission's letter No.JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(III)/99 dated May 29, 2002 to offer his comments on the averments of Shri Sunil Gupta in his affidavit dated May 8, 2002 which is a rejoinder to the affidavit dated 11.12.2001 of Shri Sanjay Sinha. A copy of the affidavit of Shri Gupta has been enclosed with the aforesaid letter dated May 29, 2002 of the Commission. The reply is still awaited.

10.(a) The Secretary, Ministry of Home Affairs, Govt. of India, has been requested by Commission's registered confidential letter No. JMCI/Records/2000-01/37(II)/533 dated January 28, 2002 to let the Commission know what was the outcome of the action, if any, taken on U.O. No.800/6/C/I/90-Pol. dated September 21, 1990 of the Prime Minister's Office addressed to Shri Naresh Chandra, the then Home Secretary, Govt. of India, wherewith a copy of the letter dated Sept. 13, 1990 of Shri Amiya Nath Bose addressed to Shri V.P. Singh, the then Prime Minister of India and of the enclosure thereto which is a xerox copy of the news titled, "Fresh Clue on Netaji's Death" published in the "Times of India" (New Delhi) dated Sept. 3, 1990 were sent to the Home Secretary, Govt. of India, for appropriate action. It has also been stated in the said letter dated 28.01.2002 of the Commission that the said letter dated Sept. 13, 1990 of Shri Amiya Nath Bose with its enclosure and the said note dated Sept. 21, 1990 are available in File No.800/6/C/I/90-Pol. of the Prime Minister's Office, on the subject, "Netaji Subhas Bose - Bringing in the ashes of". A self-contained reminder has been sent to the Secretary, Ministry of External Affairs by Registered Post with A/D vide Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/195 dated July 22, 2002. The reply of the Ministry is still awaited.

(b) The Director, Publication Division, Ministry of Information and Broadcasting has been requested by Commission's registered letter No. JMCI/Records/N.Delhi/99-2000/37(II)/35 dated 19.04.2002 to find out and furnish this Commission with an authenticated true copy of the Press statement, if any, of Mahatma Gandhi, which is alleged in the letter dated May 4, 1990 addressed to Shri V.P. Singh, the then Prime Minister of India, authored jointly by Shri Ashoke Nath Bose, Amiya Nath Bose, and Shri Subrata Bose, all nephews of Subhas Chandra Bose, to have been made in 1945 to the effect that Netaji did not die in any air-crash on August 18, 1945, after he spoke in details to Col. Habibur Rahman regarding alleged death of Netaji in an air crash on August 18, 1945. The response is still awaited.

11. The Secretary, Prime Minister's Office, has been requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(Vol.II)/536 dated 29.01.2002 to kindly send to the Commission immediately, authenticated xerox copies of the rules and procedures prescribed for destruction of files/documents since it appears from the purported xerox copies of file No.23(156)/51-PM of the Prime Minister's Office as also from their communication dated Sept. 21, 2001 that a number of papers/files of the said office were destroyed. A self-contained reminder has been sent to the Secretary, Prime Minister's Office by Registered Post with A/D, vide Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/196 dated July 22, 2002. The reply of the Prime Minister's Office is still awaited.

12. Further response from the Ministry of External Affairs regarding finalisation of the visit of the Commission to Taiwan, in continuation of its proposed visit to Japan, is still awaited.

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13.(a) The attention of the Secretary, Ministry of External Affairs has been drawn by Commission's registered letter No. JMCI/DOC(FOR)/99-2000/56(II)/125 dated June 17, 2002 to the d.o. letter dated March 26, 1991 of Shri Digbijay Singh, Deputy Minister for External Affairs, Government of India, addressed to Prof. Samar Guha which inter alia stated that the Ministry of External Affairs had already initiated follow up action with regard to high-level investigation into the secret documents on the disappearance of Netaji Subhas Chandra Bose and that the Ministry of External Affairs would keep Prof. Samar Guha informed of any further development. A copy of the said d.o. letter of Prof. Guha has been enclosed with the Commission's said letter dated June 17, 2002. The Secretary, Ministry of External Affairs has been requested in the said letter dated 17.06.2002 of the Commission to kindly send immediately authenticated true copies of the said secret documents as also of the report showing the outcome of the said high-level investigation into the said secret documents on the disappearance of Netaji Subhas Chandra Bose. The response is still awaited.

(b) With Commission's registered letter No. JMCI/DOC(FOR)/99-2000/56(II)/124 dated June 17, 2002 addressed to the Secretary, Ministry of External Affairs, Government of India, a copy of the note dated 26.03.1992 of Shri Alok Prosad, appearing at notesheet page 2 of the P.M.O.'s Confidential File No.870/11/P/16/92-Pol., has been enclosed wherein it is stated inter alia : "Soviet Foreign Office has received letters from Shri Samar Guha regarding documents stated to be in their possession and that they were making inquiries into the matter." By the said letter of the Commission the Secretary, Ministry of External Affairs has been requested to kindly report the outcome of the inquiries made by the Soviet authorities and send an authenticated xerox copy of their report in the matter. The said Secretary has also been requested to send an authenticated xerox copy of the C.C.P.A.'s decision in March, 1991 as referred to at Serial (4) of the said note of Shri Alok Prosad. The response is still awaited.

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14. By Commission's registered letter No. JMCI/Records/2000-01/37(II)/532 dated January 28, 2002, the attention of the Secretary, Ministry of External Affairs, has been drawn to U.O. No. 800/6/C/I/90-Pol. dated May 23, 1990 of the Prime Minister's Office endorsed to the Joint Secretary (EA), Ministry of External Affairs, Government of India, wherewith copies of the letter dated May 11, 1990 of Shri Amiya Nath Bose, the reply dated May 19, 1990 thereto given by Shri R. Sen, Joint Secretary, Prime Minister's Office, as also of the letter dated May 4, 1990 addressed to Shri V.P. Singh, the then Prime Minister of India, jointly authored by Shri Ashok Nath Bose, Shri Amiya Nath Bose and Shri Subrata Bose, all nephews of Netaji Subhas Chandra Bose, were sent to bring those to the attention of the Ministry of External Affairs. The Secretary, Ministry of External Affairs has been requested in the said letter dated January 28, 2002 of the Commission to let the Commission know as quickly as possible what was the outcome of the action, if any, taken on those letters. The reply is still awaited.

15. By Commission's registered letter No. JMCI/DOC(FOR)/99-2000/56(IV)/193 dated July 19, 2002, the Secretary, Ministry of External Affairs has been furnished with a xerox copy of letter No. 915/11/C/2/2002-Pol. dated July 8, 2002 of the Director, Prime Minister's Office, Government of India, which is in reply to the Commission's letter No. JMCI/DOC(FOR)/99-2000/56(II)/123 dated June 17, 2002 and the Secretary, Ministry of External Affairs has been requested to kindly furnish answers immediately to the queries made in the aforesaid letter dated June 17, 2002 of the Commission, a copy of which has been enclosed with the Commission's letter dated June 19, 2002 referred to above. The queries are as noted below :

- (a) Whether the Prime Minister's Office possesses originals of the Netaji Subhas Chandra Bose's purported Messages dated December 26, 1945, January 1, 1946 and February, 1946, appearing at pages 21 and 22 of Prime Minister Office's Confidential File No. 870/11/P/16/92-Pol. on the subject, "Disappearance of Netaji Subhas Chandra Bose - p.p.s. reg." which, prima-facie, appear to have been broadcast after the alleged air-crash on August 18, 1945;

- (b) If so, what was/were the source/sources from which the original messages were obtained by the Prime Minister's Office;
- (c) If not, whether any inquiry was made by the Government of India, about the source and authenticity of those messages; and
- (d) What is the result of such inquiry ?

The reply of the Ministry of External Affairs is still awaited.

16. With Commission's ~~in~~ registered letter No.JMCI/DOC(FOR)/99-2000/56(II)/114 dated June 13, 2002 addressed to the Secretary, Ministry of External Affairs, Government of India, xerox copy of cor.page 37 of P.M.O.'s Secret File No.870/11/P/17/90-Pol. has been enclosed which purports to be a copy of the note dated 08.08.1990 of Shri Nambiar, Joint Secretary (EA), Ministry of External Affairs, sent to the Director (MS), Prime Minister's Office which states, inter alia, : "The Soviets have confirmed that the documents sent earlier by Shri Samar Guha, were in the possession of the Soviet Government and they were making inquiries in the matter". The Secretary, Ministry of External Affairs has been requested in the said letter dated June 13, 2002 of the Commission to report to the Commission immediately the results of the said inquiries of the Soviet Government. The response is still awaited.
17. By Commission's registered letter No.JMCI/Study (PMO)-Follow Up/2002-03/84/135 dated June 21, 2002 the attention of the Secretary, Ministry of Home Affairs, has been drawn to the endorsement bearing No.870/11/P/10/93-Pol. dated 08.04.1993 of the Director, Prime Minister's Office to the Home Secretary, New Delhi, wherewith a copy of the letter dated March 13, 1993 jointly authored by Shri Triguna Sen, Shri Amiya Kumar Mazumder, and Shri Aurobinda Nath Bose addressed to the President of India was forwarded by the Prime Minister's Office to the Home Secretary for appropriate action. The Secretary, Ministry of Home Affairs, has been requested in the said letter dated 21.06.2002 to let the Commission know immediately what action was taken on the aforesaid letter dated 13.03.1993 and what was the outcome thereof. The reply is still awaited.

18. The Secretary, Ministry of Home Affairs, has been requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(II)/133 dated June 21, 2002 sent to him by Registered Post with A/D to send immediately a legible true copy of the Judgment dated March 4, 1987 delivered by Hon'ble Mr. Justice S.N. Bhargava of the Rajasthan High Court relating to the inquiry into the circumstances in which Netaji Subhas Chandra Bose died, as also to send a true copy of the affidavit-in-opposition filed by the Government of India before the Rajasthan High Court, in that case as referred to in d.o. letter No.5293/JS(A)/93 dated September 27, 1993 of Shri M. Venkateswara Iyer, Joint Secretary, Ministry of Home Affairs, addressed to Shri Vijay Kumar, Joint Secretary (Coordination), Ministry of External Affairs, Government of India. The said records are yet to be received.

19. By Commission's letter No.JMCI/Record/N.Delhi/99-2000/37(II)/131 dated June 21, 2002 sent by Registered Post with A/D the attention of the Secretary, Prime Minister's Office has been drawn to cor.page 20 of P.M.O.'s Secret File No.870/11/P/10/93-Pol.(Vol.I) and he has been requested to send to this Commission immediately authenticated true copies of file Nos.C/551/7/92-JP and C/551/14/90-JP and of the folder bearing No.C/551/7/92-JP regarding Netaji Subhas Chandra Bose which were returned by the Ministry of External Affairs to the Prime Minister's Office, Government of India, along with the note dated 08.10.1993 of the Director (AP) of the Ministry of External Affairs to the D.S.(s), Prime Minister's Office as stated in the said cor.page 20. The said documents are yet to be received.

20. The attention of the Secretary, Prime Minister's Office has been drawn to page Nos.1 and 2 of the P.M.O.'s Secret File No.23(156)/51/PM and he has been requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(II)/120 dated June 14, 2002 sent to him by Registered Post with A/D to send a report to the Commission immediately stating :

- (1) When and under what circumstances those papers, particularly, Sl.Nos. 1A,2A,3A,4A,6A, 8A,16A,17A,27A,33B and the notes mentioned at the bottom of page 1, were destroyed;

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- (2) Whether there was any specific Order of any competent authority for destruction of those papers;
- (3) Whether any contemporary list of papers destroyed was made under the signature of any competent authority; and
- (4) Whether any copies of those papers destroyed have been preserved. If so, what are the contents of those destroyed papers.

The said report is still awaited.

21. The Secretary, Ministry of Home Affairs, has been requested in Commission's registered letter No. JMCI/ Study (PMO)-Follow Up/2002-2003/84/155 dated June 27, 2002 to kindly report immediately whether any treaty was signed/ratified by the Government of India in 1971 by which the limitation of time -bar regarding arrest and trial of War Criminals was withdrawn and, if so, who were the War Criminals ^{of India} or of Indian origin or of the British India for whose arrest and trial India signed the treaty in 1971. The Ministry of Home Affairs in their U.O. No. VI/11034/63/2002-IS (D.III) dated 19.07.2002 sent to the Ministry of External Affairs with a copy to this Commission, has requested the Ministry of External Affairs to kindly confirm on an urgent basis whether the said treaty was signed/ratified by the Government of India in 1971, and if so, to furnish the details of the War Criminals of India as called for by the Commission. Further development is awaited.
22. By Commission's registered letter No. JMCI/Study (PMO)-Follow Up/2002-2003/84/134 dated June 21, 2002, the Ministry of External Affairs, Government of India, has been requested to kindly send immediately a complete list of the names and addresses of all the Archives in Russia. The reply is still awaited.

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23. *maclw* Appropriate steps are being taken to ^{get} get the relevant hand-writings on books and papers and the relevant materials like teeth and smoking pipes, collected from Faizabad Treasury with the permission of the Hon'ble Allahabad High Court (Lucknow Bench), allegedly belonging to one "Gunnami Baba", tested by Hand-writing Experts and D.N.A. Experts respectively.

P. K. Sengupta
8/8/02
(P. K. Sengupta)
Secretary

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Secret



सत्यमेव जयते

Sanjay Sinha
Joint Director

DO No IV/8(22)/02-1165

आसूचना ब्यूरो

गृह मंत्रालय

भारत सरकार

INTELLIGENCE BUREAU

(Ministry of Home Affairs)

Government of India

नई दिल्ली, दिनांक 20
New Delhi, dated 20

8 AUG 2002

2687/15052-IV/2
9/8

265/150-III/2
14/8/02

Kindly refer to your letter number JMCI/Meeting Proceedings (Follow-up)/48(Vol.II)/64- Kolkata dated 2.5.02, addressed to the Secretary, MHA, New Delhi with a copy endorsed to IB regarding submission of original or authenticated copies of documents having a bearing on disappearance of Netaji Subhash Chandra Bose.

2. In this connection, it is mentioned that the IB has already filed an affidavit, in regard to the relevant documents available with them which was forwarded to the Hon'ble Justice Mukherjee Commission of Inquiry vide IB letter No.IV/8(66)/2001-2184 dated 12.12.2001.

Yours

(Sanjay Sinha)

Shri PK Sengupta,
Secretary, JMCI,
11/A, Mirza Galib Street.
Kolkata - 700087

Copy to Smt. Sangita Gairola, Joint Secretary (IS-I), MHA.

(Sanjay Sinha)

By Speed Post. 86

No. 12014/13/2000-IS (D.III)
Government of India
Ministry of Home Affairs

New Delhi, the 18th July 2002

To

Secretary
JMCI, "B" Block, 11/A Mirza Ghalib Street,
Calcutta- 700087

Subject:- Status Report for the months of March, April and
May 2002.

Sir,

In the above-cited subject matter the position has been
examined with reference to the issues involved and a Status Note is
enclosed for kind perusal of JMCI.

Yours faithfully,

(B.R. Dhiman)

Under Secretary to the Govt. of India

Enclosure : As above

Status Report as on 19.3.2002, 1.4.2002 to 30.4.2002 and 1.5.2002 to 31.5.2002 showing action taken on the Status Report/orders/directions of the Commission as contained in its proceedings etc.

Paragraph in the Status Report	Action for MHA	Action Taken
3 of Status Report dated 19.3.2002 and 1.4.2002 to 30.4.2002	The Secretary, Ministry of Home Affairs, Government of India, was requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/305 dated September 18, 2001 to let the Commission know immediately what action was taken on the Rajya Sabha Starred Question No. DY. 2198 by Shri K.R. Malkani, M.P., due for answer on 06.03.1996 as mentioned at note sheet page 1 of Prime Minister's Office File No. 915/II/C/6/96-Pol. As also on the letter dated November 20, 1996 of Shri Ramkrishna Hegde addressed to the then President of India, indicating the results of the said actions. The Secretary, Ministry of Home Affairs, was also requested in the said letter of the Commission to send to the Commission within six weeks as authenticated Xerox copy of the information furnished by the Government of U.K. as stated in the letter dated 12.03.1999 of the Ministry of Home Affairs, appearing at cor. Page 196 of the said file of the Prime Minister's Office. Copies of the aforesaid note sheet page and cor.page were enclosed with the Commission's said letter dated September 18, 2001. The information and documents called for are still awaited.	(i) In the reply given to the Question, it was stated that in view of the fact that the circumstances of disappearance/death of Netaji Subhas Chandra Bose have already been looked into by two Commissions of Inquiry earlier, it has been felt by the Government that no useful purpose would be served by holding yet another inquiry. (ii) As far as letter dated November 20, 1996 of Shri Ramkrishna Hegde addressed to the then President of India is concerned, no such papers are available in the Ministry of Home Affairs. (iii) Copy of the said communication is enclosed.
5 of Status Report dated 19.3.2002 and Status Report from 1.4.2002 to 30.4.2002 & 19 of Status Report from 1.5.2002 to 31.5.2002	A Xerox copy of the report captioned, "Sleeping Bomb lies in Netaji Vault" authored by Shri Chandan Nandy was sent to the Secretary, Ministry of Home Affairs, Government of India, with Commission's letter No. JMCI/Records/ N.Delhi/99-2000/37/108 dated 28.05.2001 in terms of the letter No. 10/SPS-11/2001(20)-306 dated 17.05.2001 of the Cabinet Secretariat, Government of India, and the Secretary, Ministry of Home Affairs, was requested to furnish a detailed report on the contents of the said article of Shri Chandan Nandy which was published in the "Telegraph", Calcutta on March 26, 2001. The response of the Ministry of Home Affairs, Government of India, in the matter is still awaited.	Reply already sent on 13.7.2001 and copy enclosed for ready reference.
7(a) of Status Report dated 19.3.2002	At the time of her examination before the Commission as a witness on December 20, 2001, Smt. Sangita Gairola, Joint Secretary, MHA, stated inter alia that a small Committee headed by the Deputy Secretary of the Ministry of Home Affairs has been formed by the Ministry to find out further relevant records and stated that they would	Result of further efforts made by this Ministry have already been communicated to the Hon'ble

	require another two months to continue the inquiry to find out other relevant documents. Even though the said period of two months has expired, the result of the said inquiry by the Ministry of Home Affairs is still awaited.	Commission vide MHA's letter No. I/12014/13/2000-IS(D.III) dated 11.4.2002 (copy enclosed).
2 of Status Report dated 19.3.2002, 8 of Status Report from 1.4.2002 to 30.4.2002 and 3 of Status Report from 1.5.2002 to 31.5.2002.	It has been stated inter alia in the affidavit dated December 19, 2001 of Smt. Sangita Gairola, Joint Secretary (IS-I), Ministry of Home Affairs, Government of India : "The averments and allegations made therein (i.e. in the affidavits and supplementary affidavits concerned) are matters of records and subject to the consideration by the Hon'ble Commission. Some of the records available with the Ministry have been made over to the Hon'ble Commission and some others have been discovered with this affidavit (i.e. her affidavit dated December 19, 2001) for consideration by the Hon'ble Commission; and that she has further stated therein that "the Ministry of Home Affairs has also taken up the matter with Ministry of External Affairs, Ministry of Defence, Intelligence Bureau, National Archives of India, and Prime Minister's Office, to go through the documents and if necessary submit an affidavit to the Commission directly." Hence, the Secretaries of the Ministry of External Affairs, the Prime Minister's Office, and the Ministry of Defence as also the Director of Intelligence Bureau, and the Director General of National Archives of India have been requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(Vol.II)/537 dated 29.01.2002 to send their respective affidavits immediately regarding the averments and allegations made in the relevant affidavits and supplementary affidavits of different deponents, the copies of which were furnished by the Commission with the Ministry of Home Affairs, Government of India.	No action pending insofar as this Ministry is concerned.
11(a) of Status Report dated 19.3.2002, 9(a) of Status Report from 1.4.2002 to 30.4.2002 and 5(a) of Status Report from 1.5.2002 to 31.5.2002.	The Secretary, Ministry of Home Affairs, Government of India, has been requested by Commission's confidential letter No. JMCI/Records/2000-01/37(II)/533 dated January 28, 2002 to let the Commission know what was the outcome of the action, if any, taken on U.O. No. 800/6/C/I/90-Pol. Dated September 21, 1990 of the Prime Minister's Office addressed to <u>Shri Naresh Chandra</u> , the then Home Secretary, Government of India, wherewith a copy of the letter dated September 13, 1990 of <u>Shri Amiya Nath Bose</u> addressed to <u>Shri V.P. Singh</u> , the then Prime Minister of India and of the enclosure thereto which is a Xerox copy of the news titled, "Fresh Clue on Netaji's Death" published in the "Times of India" (New Delhi) dated September 3, 1990 were sent to the Home Secretary, Government of India, for appropriate action. It was also stated in the said letter dated 28.01.2002 of the Commission that the said letter dated September 13, 1990 of <u>Shri Amiya Nath Bose</u> with its enclosure and the said note dated September 21, 1990 are available in File No. 800/6/C/I/90-Pol. of the Prime Minister's Office, on the subject, "Netaji Subhas Bose - Bringing in the ashes of".	No specific action was called for on this receipt and the letter was taken on record.
14 of Status Report dated 19.3.2002, 12 of Status Report from 1.4.2002 to 30.4.2002 and 8 of	The Secretaries, Ministry of Home Affairs, and Ministry of Information & Broadcasting, Government of India, have been furnished with a copy of the d.o. letter dated February 3, 1978 of <u>Shri R.C. Mazumder</u> (renowned historian) addressed to <u>Shri Morarji Desai</u> , the then Prime Minister of India and of the notes of <u>Shri Mazumder</u> annexed thereto appearing at cor. pages 16 to 20 of the Secret File No. 2/64/78-PM of the Prime Minister's Office and were requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/5423 dated February 1, 2002 to kindly furnish the Commission as quickly as possible with documents or authenticated Xerox copies	Relevant records in this Ministry have been perused. However, no such record appears to be available in this Ministry. As such, Hon'ble Commission may consult PMO in the matter.

Status Report from 1.5.2002 to 31.5.2002.	thereof relevant to the various contentions of the said letter of Shri Mazumder which appear to be relevant to the terms of reference of the Commission. The documents/authenticated copies called for from them are awaited.	
6 of Status Report dated 19.3.2002, 13 of Status Report from 1.4.2002 to 30.4.2002 and 9 of Status Report from 1.5.2002 to 31.5.2002. (7)	The Secretary, Ministry of Home Affairs, Government of India, has been requested by the Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/534 dated January 29, 2002 to make available for perusal of the authorized representative(s) of the Commission, Vol. Nos. XVIII, XIX, and XXII and other Volumes (excepting first 17 volumes) along with other relevant files/documents/records pertaining to the Khosla Commission which have not yet been sent to this Commission. The response of the Ministry of Home Affairs in the matter is awaited.	Detailed lists of records/documents/books etc. pertaining to Netaji Subhas Chandra Bose available with this Ministry were enclosed with the affidavit dated 19.12.2001 filed on behalf of Ministry of Home Affairs. The result of further efforts have also been communicated to the Hon'ble Commission vide our U.O. Note dated 11.4.2002. b 358/120
18 of Status Report dated 19.3.2002 (8)	As early as August 23, 2001, the Commission by its letter No. JMCI/Meeting-Proceedings (Follow Up)/48(Vol.II)/274 dated August 23, 2001 requested the Secretary, Ministry of Home Affairs, Government of India, to let the Commission know, within six weeks from the date of receipt thereof which of the files/records/documents mentioned in para (a)(i) and (a)(iii) of the proceedings dated March 23, 2000 of the Commission pertain to the Prime Minister's Office, which of them pertain to the Ministry of Defence and which of them pertain to the Ministry of External Affairs, Government of India, to enable the Commission to take further action in the matter. No reply has yet been received from the Ministry of Home Affairs, Government of India.	Attention of the Hon'ble Commission is invited to para 2 of the affidavit dated 19.12.2001 filed on behalf of Ministry of Home Affairs.
19 of Status Report dated 19.3.2002 and 23 of Status Report from 1.5.2002 to 31.5.2002 (9)	By Commission's letter No. JMCI/Affidavit-Averments (Follow Up)/2000-2001/67/228 dated August 1, 2001 sent by Registered Post with A/D. to the Ministry of Home Affairs, Government of India, it has been stated that it is not clear from their letter No. I/12014/10/2001-IS(D.III) dated July 4, 2001 whether or not the Ministry of Home Affairs, Government of India, is at all concerned in the matter of furnishing the documents mentioned and relied upon by the deponents referred to in Commission's letter No. JMCI/Affidavit-Averments (Follow Up)/2000-2001/67/132 dated May 30, 2001 and they were requested to file a supporting affidavit in the matter by an Officer, not below the rank of Joint Secretary of the Department within four weeks from the date of receipt of this letter. A reminder was sent to the Ministry of Home Affairs, Government of India by Commission's letter No. JMCI/Affidavit-Averments (Follow Up)/ 2000-2001/67/320 dated September 20, 2001 wherein they were also requested to indicate the name of the authority concerned of the Government of India against each of the documents mentioned and relied upon by the said deponents since those particulars are essentially required by the Commission to pursue effectively with the authorities concerned of the Government of India as advised by the Ministry of Home Affairs in the aforesaid letter dated July 4, 2001 for production before the Commission their respective documents concerned. The said report and the affidavit are yet to be received by the Commission from the Ministry of Home Affairs, Government of India.	The relevant position in this regard has already been communicated to the Hon'ble Commission vide para 7 of the affidavit dated 19.12.2001 filed on behalf of Ministry of Home Affairs.

20(a) of Status Report dated 19.3.2002 and 15(a) from 1.4.2002 to 30.4.2002 (10)	The Secretary, Ministry of Home Affairs, has been requested to report to the Commission the action taken by the Government of India for verification of the news of imprisonment of Netaji in Russia as mentioned in Cor.page 112 of Secret File No. 2(64)/56-68-PM of the Prime Minister's Office, the details of verification actually made and outcome thereof.	No record, as such, has become available in the Ministry of Home Affairs. It is suggested that information in this regard may be obtained from Ministry of External Affairs/PMO.
20(b) of Status Report dated 19.3.2002, 15(b) from 1.4.2002 to 30.4.2002 and 11(b) of Status Report from 1.5.2002 to 31.5.2002 (11)	The Secretary, Ministry of Home Affairs, Government of India, has also been requested to send an authenticated true copy of the news which claimed that Netaji Subhas Chandra Bose had spoken from Moscow radio after the Taskent Agreement as mentioned at cor.page 153 of the Secret File No. 2(64)/56-68-PM of the Prime Minister's Office, the full text of the radio speech, the full particulars of the student in the name of Subhas Chandra who allegedly made the broadcast and the true copy of the report sent by the Radio Moscow authority in the matter.	No such information is available in the Ministry of Home Affairs. Hon'ble Commission is requested to obtain this information from the Ministry of External Affairs.
20(c) of Status Report dated 19.3.2002, 15(c) of Status Report from 1.4.2002 to 30.4.2002 and 11(c) of Status Report from 1.5.2002 to 31.5.2002 (12)	The Secretaries, Ministry of Home Affairs and Ministry of External Affairs, Government of India, has been requested to report to the Commission the details of action taken on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P. (Lok Sabha) addressed to Shri V.V. Giri, the then President of India which is lying at cor.pages 177 and 177(a) of Prime Minister's Office Secret File No. 2(64)/56-68-PM and the outcome thereof since the said letter appears to contain some important matters relevant for the purpose of inquiry of the Commission.	No such papers have become available in the Ministry of Home Affairs. Hon'ble Commission may get in touch with the Ministry of External Affairs/PMO to obtain information in this regard.
21(b) of Status Report dated 19.3.2002 and 16(b) from 1.4.2002 to 30.4.2002 (13)	The Secretaries, Ministry of Home Affairs, and Prime Minister's Office, Government of India, have been requested to send to the Commission true copies of Vols. I and II of Prime Minister's Office File No. F-2(64)/56-66-PM and of Prime Minister's Office File No. 2(67)/56-62-PM, referred to in U.O. Note dated 04.08.1972 of the Prime Minister's Secretariat sent to the Ministry of Home Affairs, Government of India, lying at cor.page 64 of Prime Minister's Office's Secret File No. 2(64)/56-70-PM. Vol.V and in the Khosla Commission's d.o. letter dated July 5, 1974 which is lying at cor.page 144 of Prime Minister Office's said Secret File.	No such files have been located in the Home Ministry. PMO may please be consulted in the matter.
21(c) of Status Report dated 19.3.2002, 16(c) of Status Report from 1.4.2002 to 30.4.2002 (14)	The Secretary, Ministry of Home Affairs, has been requested to report to the Commission immediately the action taken on the points made by Shri Samar Guha in his d.o. letter dated December 21, 1973 addressed to the Prime Minister (vide cor.pages 116 to 122) of Prime Minister's Office Secret File No. 2(64)/56-70-PM. Vol. V, other than those points of the said d.o. letter specifically dealt by Shri Tandon, Joint Secretary to the Prime Minister in	No such communication dated December 21, 1973 has become available in this Ministry. It is requested that the Hon'ble Commission

1.4.2002 to 30.4.2002 and 14 of Status Report from 1.5.2002 to 31.5.2002	his U.O. No. PMS-370 dated 05.01.1974 vide cor.page 164 of the said file.	may get in touch with PMO in this regard.
21(e) of Status Report dated 19.3.2002, 16(e) of Status Report from 1.4.2002 to 30.4.2002 and 16 of Status Report from 1.5.2002 to 31.5.2002	The Secretaries, Ministry of Home Affairs, and the Prime Minister's Office are being requested to send to the Commission immediately an authenticated true copy of the answer of the Government to the Lok Sabha Starred Question D.No. 3424 (vide cor.page 132) of the Prime Minister Office's Secret File No. 2(64)/56-70-PM. Vol.V as also of the Government notes on the supplementaries regarding the said Lok Sabha Questions.	We have not been able to locate the papers relating to Lok Sabha Starred Question Dy.No. 3424 referred to in the PMO file. It is requested that the Hon'ble Commission may get in touch with PMO.

192

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinseb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

ings(Follow-Up) Kolkata, da
/121.

K. Sengupta,
ary

Secretary,
ry of Home Affairs,
ment of India,

2153 / 15 USD IV / 2

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

12323 - R.

S i r,

I am directed to refer to Commission's letter No. JMCI/Meeting-Proceedings (Follow Up)/48(III)/356 dated October 9, 2001 (copy enclosed) sent to you by Registered post with A/D. which appears to have been received by your office on October 24, 2001 and to request you to kindly send immediately authenticated true copies of the papers/documents concerning Serial Nos. (ii), (iii), (iv), (v) and (vi) of para-1 of the letter No. 281/12/1/2000-TS dated September 19, 2001 of the Cabinet Secretariat, Government of India, addressed to the Commission (copy enclosed) which were called for by the aforesaid letter dated October 9, 2001 of the Commission.

Enclosures: As stated above.

Yours faithfully,

(P. K. Sengupta)
Secretary

Registered
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Commissio

Enclosure

Miss Meena

Proceedings file ??)

By Registered
post with A/D

93

P/1330
10/10/01

Meeting-Proceedings(Follow Up)/48(Vol.III)/356

October 9, 2001

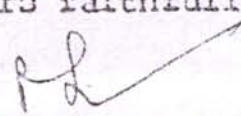
From : Shri P. K. Sengupta,
Secretary

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

S i r,

I am directed to send herewith a xerox copy of the letter No.281/12/1/2000-TS dated September 19, 2001 of the Cabinet Secretariat, Government of India, addressed to the Commission, and to request you to send authenticated true copies of the papers/documents concerning serial Nos.(ii), (iii), (iv), (v) and (vi) of para-1 of the said letter of the Cabinet Secretariat within four weeks from the date of the receipt of this letter.

Yours faithfully,


(P.K. Sengupta)
Secretary

Enclo: As stated above.

राष्ट्रपति भवन, नई दिल्ली
CABINET SECRETARIAT
RASHTRAPATI BHAVAN, NEW DELHI

MOST IMMEDIATE

281/12/1/2000-TS

दिनांक 19th September, 2001.
Dated



To,

Shri P.K. Sengupta
WBHJS (Retd)
Secretary
Justice Mukherjee Commission of Inquiry
'B' Block, (Third Floor)
11/A, Mirza Ghalib Street,
Calcutta-700 087.

50
Please put up with the
letter and make reference
26.9.2001

JMCI/129
26/9/01

Subject: Investigation into the circumstance leading to the death of
Subhash Chandra Bose – Past records.

Sir,

I am directed to refer to Justice Mukherjee Commission of Inquiry letter Nos. JMCI/Meeting-Proceedings (Follow up)/ 48 (Vol.III)/266 and JMCI/Meeting-Proceedings (Follow up)/ 48 (Vol.III)/264 dated 20.8.2001, addressed to the Secretary, Cabinet Secretariat, GOI, Bikaner House (Annexe), Shahjahan Road, New Delhi, received in this Secretariat on 14.9.2001, requesting for the following authenticated true copies of the papers/documents, on the above subject:-

- | | | | |
|-------|--------------------------|---|--------------------|
| (i) | PMO F.No. 12(226)-56/PM. | ✓ | Sent to Comm. |
| (ii) | F. No. 10/22/CF-68. | ✓ | |
| (iii) | F. No. 6/5/9/77-CF. | ✓ | Affidavit pooler |
| (iv) | F. No. 10/21/CF-68. | ✓ | Needed out in PMO |
| (v) | F. No. 6/1/6/74-CF. | ✓ | Cal. decn. 29/8/04 |
| (vi) | F. No. 6/5/1/91-TS. | ✓ | CCPA decn. 27/2 |
- Handwritten notes: Made available to Comm. on 28/8/02, Affidavit pooler, Needed out in PMO, Cal. decn. 29/8/04, CCPA decn. 27/2.

2. Papers pertaining to item number (i) above have already been sent to the Commission vide this Secretariat Note No. 281/12/2/99-Cab dated 28.8.2000.

---2/-

27/2/2001
(ii) contained in file No. 1/12014/27/93 DIII
(iii) Conting. cabined decision dt 17/9/01
(iv) needed out by PMO
(v) Cal. decn. dt 29/8/04

मंत्रिमण्डल सचिवालय
राष्ट्रपति भवन, नई दिल्ली
CABINET SECRETARIAT
RASHTRAPATI BHAVAN, NEW DELHI
:2:


95

No.

दिनांक
Dated

3. Copies of the remaining papers mentioned at sub paras (ii) to (vi) above have already been sent to MHA, who are being requested to send them directly to the Commission.

Yours faithfully,


20.9.2001

(Rakesh Sarwal)
Deputy Secretary.

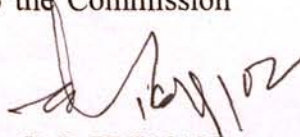
96

MINISTRY OF HOME AFFAIRS
IS(D.III) DESK

SUBJECT: INVESTIGATION INTO THE CIRCUMSTANCE LEADING
TO THE DEATH OF SUBHAS CHANDRA BOSE – PAST
RECORDS.


Enclosed please find herewith a copy of letter No. JMCI/Meeting-
Proceedings(Follow-Up)/48(III)/121 dated 14.6.02 on the subject noted
above.

It is requested that authenticated true copies of papers/documents
concerning Serial Nos (ii),(iii),(iv),(v) and (vi) of para-1 of your letter No.
281/12/2000-TS dated 19.9.01 may kindly be furnished to the Commission
under intimation to this Ministry at the earliest.


(B.R.DHIMAN)
UNDER SECY. TO THE GOVT. OF INDIA
TELE NO:3093700

Cabinet Sectt. (Shri Shatrughan Singh, Director), Rashtrapati Bhavan, New
Delhi

MHA UO No. I/12014/13/2000-ISD.III dt 16.9.02

Please issue

16/9


17/9

322/1SD III/102
11/9
Fax: +0091-033-252-2765
No. JMCI/Meetin

Phone: 305-1117

Chairman - 252-2835

Secretary - 252-2767

Officer on Special Duty - 252-2765

Office - 252-2766/68

e-mail: jmcinscb@cal.3.vsnl.net.in

11/A Mirza Ghalib Street, Kolkata 700 087

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/

e-mail : jmcinscb@cal.3.vsnl.net.in

99-2000/48(IV)/300.

To : Shri Kamal Pandey,
Secretary,
Ministry of Home Affairs,
Government of India,
New Delhi-110001.

I am directed to refer to this office registered letter No. JMCI/Meeting-Proceedings (Follow-Up)/99-2000/48(IV)/217 dated 26.7.2002 and to say that the period of four weeks stipulated in the aforesaid letter has already elapsed, but till now no counter-affidavit or affidavit-in-opposition has been received by the Commission either from the Ministry of Home Affairs or from any of the Ministries/Departments/Offices concerned of the Government of India, to each of whom the said letter dated 26.7.2002 was endorsed and sent by Register Post on 30.7.2002.

I am, therefore, directed to state that because of the said default of the said Ministries/Departments/Offices of the Government of India in the matter of filing counter-affidavit or affidavit -in - opposition, the Commission presumes that they do not want to file any counter-affidavit or affidavit-in-opposition as they have nothing with them to enable them to say anything contrary to or rebut on oath the averments and contentions in the affidavits.

Yours faithfully,

(P. K. Sengupta)
Secretary

No. JMCI/Meeting-Proceedings(Follow-Up)/99-2000/48(IV)/300(5).
Dated 3-09-02.

Copy forwarded for information & favour of taking
necessary action to :

1. The Secretary, M.E.A, New Delhi.
2. The Secretary, P.M's Office, New Delhi.
3. The Secretary, Cabinet Secretariat, Govt. of India, New Delhi.
4. The Secretary, Ministry of Defence, Govt. of India, New Delhi.
5. The Director, Intelligence Bureau, Govt. of India, New Delhi.

(P.K. Sengupta)
Secretary

10/9
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By Registered post with A/D.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Fax : 0091-033-252-2765

Phone: ⁹⁸

Chairman - 252-2835

Secretary - 252-2767

Officer on

Special Duty - 252-2765

Office - 252-2768/68

e-mail : jmcinscb@cal3.vsnl.net.in

No. JMCI/Records/N.Delhi/99-2000/37(III)/316.

Kolkata, dated, 6.9.02.

334/152-11k
16k
From : Shri M. Roy,
Officer on Special Duty

To : Vijay Gokhale,
Joint Secretary (CNV),
Ministry of External Affairs,
South Block,
New Delhi-110001.

Sir,

DH
I am directed to refer to M.H.A. U.O. No. VI/11034/61/2002-IS (D.III) dated 19.7.02 endorsed to the Joint Secretary (Coordination), Ministry of External Affairs Government of India wherewith a copy of this Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/133 dated 21.6.02 was forwarded and to request you to kindly furnish a copy of the Affidavit -in- Opposition filed and judgement order dated 04.03.1987 delivered by Hon'ble Mr. Justice S.N. Bhargava of Rajasthan High Court as referred to in them.

MEP
no action on one point.
Yours faithfully,

sl-

(M. Roy)

Officer on Special Duty

No. JMCI/Records/N.Delhi/99-2000/37(III)/316(1). Dt. 6.9.02.

Copy forwarded for favour of information to :

1) The Secretary, Ministry of Home Affairs, Govt. of India, New Delhi.



(M. Roy)

Officer on Special Duty

BY REGISTERED POST

WITH A/D.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Fax : 0091-033-252-2765

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinscb@cal.3.vsnl.net.in

No. JMCI/Records/N.Delhi/99-2000/37(III)/Kolkata, dated,

06.09.2002.

/310.

के.रे.स. वि. प्र. वि.
Home Affairs
New Delhi.

16/9/2002

19342

From : Shri M. Roy, IAS (Retd.),
Officer on Special Duty

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

S i r,

I am directed to refer to this Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(III)/201 dated 22.07.2002 (Xerox copy enclosed for ready reference) and to say that ^{the} reply thereto from your kind end is yet to be received.

I am, therefore, directed to request you to kindly do the needful as expeditiously as possible

Yours faithfully,

(Signature)

(M. Roy)

Encl : As stated above.

Officer on Special Duty

Refined vide para 12

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2035
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinsecb@cal.3.vsnl.net.in

By registered
post with A/D.

Fax : 0091-033-252-2765

No. JMCII/ Records/N.Delhi/99-2000/37(III) ^{/201} Kolkata, dated, July 22, 2002

From : Shri P.K. Sengupta,
Secretary

To : The Secretary
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

R/1-543/
25/7/02

Sir,

I am directed to refer to the Commission's letter No. JMCII/Records/N.Delhi/99-2000/37(II)/608(2) dated March 14, 2002 (xerox copies of the letters and its enclosures are annexed) and to request you again to kindly report to the Commission immediately the details of action taken on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P. (Lok Sabha) addressed to Shri V.V. Giri, the then President of India and the outcome thereof since the said letter of Shri Sondhi contains some matters appearing to be relevant for the purpose of the inquiry of this Commission. The said letter of Shri Sondhi was sent by the Prime Minister's Office to the Ministry of Home Affairs with the former's U.O.No.2(64)/56-70-PM dated October 22, 1970 for such action as was considered appropriate.

Yours faithfully,

(P.K. Sengupta)
Secretary

Encl: As stated above.

Ref: Para 12

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Fax : 0091-033-252-2765

REGISTERED WITH A/D.

No. JMCII/ Stat.Rept./99-2000/33A/299.

Kolkata, dated,

03.09.2002.

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinscb@cal.3.vsnl.net.in

From : Shri M. Roy, IAS (Retd.)
Officer on Special Duty

To : Shri Mukesh Mittal,
Deputy Secretary (IS-I),
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

Sub : Status Report from 01.08.2002
to 31.08.2002.

Ref : Your office letter No.I/12014/
1/2000-IS (D.III) dt. 07.02.2000.

S i r,

I am directed to forward herewith a 'Status Report' of the Secretary of Justice Mukherjee Commission of Inquiry, for necessary action at your end.

Yours faithfully,

(M. Roy)

Officer on Special Duty

Encl : As stated above.

Pl. put up
USDIV
DODII
6/19/02

Discussed with DODII
After perusal of the
Report I see that action in
most of the paras have
been taken and decision taken
conveyed to JMCII in
our previous status report.
Pl. put up for remaining
paras
USDIV
11/9

Justice Mukherjee Commission of Inquiry
For Inquiry into the Alleged Disappearance of
Netaji Subhas Chandra Bose
'B' Block, (3rd Floor)
11/A, Mirza Ghalib Street, Kolkata-700 087.

STATUS REPORT

(From 01.08.2002 to 31.08.2002)

1. This Status Report is in continuation of the earlier Status Report forwarded under Commission's letter No.JMCI/Stat.Rept./99-2000/33A/246 dated 07.08.2002 sent to the Ministry of Home Affairs, Government of India, by Registered Post on 08.08.2002.
2. Xerox copies of the proceedings dated March 21 and 22, 2002, June 10, 2002 and July 16, 2002 and of the Commission's Status Reports as on 19.03.2002 and 06.06.2002 were sent under Commission's Registered letter No.JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(IV)/237(7) dated August 1, 2002 to the Secretaries, Ministry of Home Affairs, Ministry of External Affairs, Prime Minister's Office, Cabinet Secretariat, and Ministry of Defence, as also to the Director General, National Archives of India, and the Director, Intelligence Bureau, Government of India, for their information and favour of taking necessary action.
3. In pursuance of the d.o. letter No.25/4/NGO-Vol.VIII dated August 19, 2002 of Shri Vijay Gokhale, Joint Secretary (CNV), Ministry of External Affairs, to Shri Akhil Jain, Joint Secretary (IS), Ministry of Home Affairs, Government of India, the programme of the Commission to visit to Taiwan was de-linked from the programme of its visit to Japan and necessary Government approval, financial sanction, and political clearance were again sought for from the Ministry of Home Affairs, Government of India, on August 22, 2002 (transmitted to them by FAX on August 22, 2002), to enable it to purchase air-ticket and to make all necessary arrangements for its tour programme to Japan during the period from 12.09.2002 to 18.09.2002. The approval/sanction/clearance of the Government of India as sought for by the Commission are still awaited. A programme of the Commission in Tokyo drawn up by the Indian Mission there was, however, received on 28.08.2002 which is being examined.
4. On receipt of the affidavit dated February 1, 2002 of Shri Falguni Rajkumar, Joint Secretary (TRG) and C.A.O., Ministry of Defence, Government of India, further affidavit has been called for, preferably within four weeks, from the

contd...P.2.

M.H.A.
Tour Programme

M.O.D

Ministry of Defence, Government of India, by Commission's letter No.JMCI/Record/N.Delhi/99-2000/37/57 dated May 3, 2001, sent by Registered Post with A/D, with a request to state therein categorically as to whether the complete records of the proceedings of the trial of the I.N.A. personnel, which are prima-facie records of historical importance, do exist or not and if not, the precise reasons for non-existence of those important records may be stated and if those records have been destroyed, the reasons for and the date and place of destruction of the records, and whether copies of Micro-films/ Micro-Fiches of those documents have been preserved and if not preserved, the reasons therefor. The said further affidavit is yet to be submitted.

5. Shri Kamal Pandey, Secretary, Ministry of Home Affairs, Government of India, has been requested again by Commission's letter No.JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(IV)/217 dated July 26, 2002 to kindly cause filing of the counter-affidavits or affidavits-in-opposition of the Ministry of Home Affairs, Ministry of External Affairs, Prime Minister's Office, Cabinet Secretariat, Ministry of Defence, and Intelligence Bureau, in respect of averments/contentions/ allegations contained in the affidavits/supplementary affidavits of ~~the~~ different deponents within four weeks from the date of receipt of the letter, failing which it may be presumed that they do not want to file any counter-affidavits or affidavits-in-opposition. The said letter dated July 26, 2002 of the Commission has also been endorsed to the Secretaries, Ministry of External Affairs, Prime Minister's Office, Ministry of Defence, Cabinet Secretariat as also to the Director, Intelligence Bureau and sent on 30.07.2002 by Registered Post with A/D for their information and favour of taking necessary action. The said counter-affidavits or affidavits-in-opposition are yet to be received.

6. The Prime Minister's Office has sent a reply to Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(II)/120 dated June 14, 2002 by the former's letter No.915/11/C/2/2000-Pol. dated August 20, 2002, which is being examined pending receipt of their reply to Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/275 dated August 21, 2002.

MHA
Actioned with follow up
No action is pending in 60 days
as this Ministry is covered.

PMO

P.M.O.

7.(a) The Secretary, Prime Minister's Office, has been requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/223 dated July 30, 2002 to kindly furnish the Commission as early as possible with the documents or authenticated xerox copies thereof relevant to the various contentions of the letter dated February 3, 1978 of Late R.C. Mazumder (renowned historian) addressed to Late Morarji Desai, the then Prime Minister of India, and of the note of Late Mazumder annexed to his aforesaid letter which appear at cor-pages 16 to 20 of the P.M.O.'s Secret File No.2/64/78-PM. In reply dated August 20, 2002 the Director, Prime Minister's Office, has stated that none of the documents referred to Shri Mazumder's aforesaid letter are available with the Prime Minister's Office.

MEA

(b) The Secretaries, Ministry of External Affairs, and Prime Minister's Office have been requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/224(2) dated July 30, 2002 to report to the Commission the action taken by the Government of India for verification of the news of imprisonment of Netaji Subhas Chandra Bose in Russia as mentioned in cor.page 112 of the Prime Minister's Office's Secret File No.2(64)/56-68-PM, the details of verification which was actually made and the outcome thereof. Xerox copies of the said cor-page 112 were furnished to them. The report is still awaited.

MEA

(c) The Secretary, Ministry of External Affairs has been requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/225 dated July 30, 2002 to send the full text of the Radio speech as referred to in cor.page 153 of P.M.O.'s Secret File No.2(64)/56-68-PM, the full particulars of the student in the name of Subhas Chandra who allegedly made the said radio broadcast and a true copy of the report sent by the Radio Moscow Authority in the matter. A xerox copy of the said cor.page 153 was enclosed with the said letter of the Commission. The records/reports called for are still awaited.

MEA

(d) The Secretaries, Ministry of External Affairs, and Prime Minister's Office have been requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/226(2) dated July 30, 2002 to report to the Commission immediately

the details of action taken on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P.(Lok Sabha) addressed to the then President of India and the outcome of the said action. Copies of the said letter ^{of} Shri Sondhi appearing at cor.pages 177 and 177(a) of the P.M.O.'s Secret File No.2(64)/56-68-PM were enclosed with the said letters of the Commission. The report called for ~~from them~~ is still awaited.

PMD
(e) The Secretary, Prime Minister's Office has been requested again by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/227 dated July 30, 2002 to send to the Commission immediately true copies of Volms. I & II of the P.M.O.'s file Nos. F-2(64)/56-66-PM and 2(67)/56-62-PM as mentioned in cor.pages 64 and 144 of the P.M.O.'s Secret File No. 2(64)/56-70-PM Vol.V. The records called for are still awaited.

PMD
(f) The Secretary, Prime Minister's Office has been requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/228 dated July 30, 2002 to report to the Commission immediately the action taken on the points made by Shri Samar Guha in his d.o. letter dated December 21, 1973 addressed to the then Prime Minister appearing at cor.pages 116 to 122 of the P.M.O.'s Secret File No.2(64)/56-70-PM Vol.V. other than those points therein specifically dealt by Shri Tandon, Joint Secretary to the Prime Minister in his U.O. No.PMS-370 dated 05.01.1974 appearing at cor.page 164 of the said file. The report called for is still awaited.

PMD
8. The Secretary, Prime Minister's Office has been requested by Commission's letter No.JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(III)/188 dated July 12, 2002 to furnish the Commission immediately with the documents mentioned against four Com. Nos., viz., com.11, 30(R)(2), 30(S)(2), and 30(V)(1) since those documents do not appear to have been submitted to the Commission as yet which is supposed to be done by the Prime Minister's Office as mentioned in the 3rd para of the d.o. letter No. IV/8(66)/2001-2184 dated 12.12.2001 of Shri Sanjoy Sinha, Joint Director, IB, Government of India, addressed to the Secretary of the Commission, a xerox copy of which has been enclosed with the aforesaid letter of the Commission dated July 12, 2002. The documents called for are still awaited.

9. The Secretary, Ministry of Home Affairs, Government of India, has again been requested by Commission's ^{registered} letter No. JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(III)/121 dated June 14, 2002 to send immediately authenticated true copies of the papers/documents concerning Sl. Nos. (ii), (iii), (iv), (v), and (vi) of para 1 of the letter No. 281/12/1/2000-TS dated September 19, 2001 of the Cabinet Secretariat, Government of India, addressed to the Commission. A copy of the said letter of the Cabinet Secretariat has been enclosed with the Commission's aforesaid letter dated June 14, 2002. The said records are still awaited.
10. Shri Sanjay Sinha, Joint Director, Intelligence Bureau, (M.H.A.), Government of India, has been requested by Commission's letter No. JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(III)/99 dated May 29, 2002 to offer his comments on the averments of Shri Sunil Gupta in his affidavit dated May 8, 2002 which is a rejoinder to the affidavit dated 11.12.2001 of Shri Sanjay Sinha. A copy of the affidavit of Shri Gupta has been enclosed with the aforesaid letter dated May 29, 2002 of the Commission. The reply is still awaited.
11. Under Commission's Registered letter No. JMCI/Records/N.Delhi/99-2000/37(III)/236(3) dated August 1, 2002, the Secretaries, Prime Minister's Office, Ministry of Home Affairs, and the Ministry of External Affairs, ^{Govt. of India} were furnished with xerox copies of the d.o. letter dated January 3, 1974 of Shri Samar Guha, M.P. addressed to Smt. Indira Gandhi, the then Prime Minister of India and of the reply thereto dated January 9, 1974 given by Smt. Indira Gandhi to Shri Samar Guha and they were requested to kindly send immediately to the Commission authenticated true copies of all the documents, copies of which were lying in P.M.O.'s File No. 12(226)/56-PM since destroyed, as also authenticated true copies of all those files which contain the said documents, the copies of which were lying in the said destroyed file as stated by the then Prime Minister in her aforesaid d.o. letter dated January 9, 1974. The said documents are yet to be received.
12. In Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(III)/282 dated August 26, 2002 the attention of the Secretary, Ministry of Home Affairs, Government of India, was drawn to Commission's letter No. 199(2) dated 22.07.02 and he was requested to kindly furnish a true copy of the answer to the

Not available
MHA
Reflex vide para
15/7

Lok Sabha Starred Question DY. No. 3424 raised by Shri Samar Guha, M.P., Lok Sabha, during 1974 as also the date of answering the said Question and the final number thereof which was answered by the Ministry of Home Affairs, Government of India, as reported to the Commission by the Prime Minister's Office, by their letter No.915/11/C/5/2001-Pol. dated August 2, 2002.

Cal.

13. By Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/253 dated August 12, 2002 the attention of the Secretary, Cabinet Secretariat was drawn to the Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/146 dated 27.06.2002 and he was requested to cause filing of the affidavit as called for in the aforesaid letter dated 27.06.2002 of the Commission, as expeditiously as possible. The said affidavit is still awaited.

b-37/cor
y b-39/or

14. The Secretary, Ministry of Home Affairs, was furnished with Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/235 dated August 1, 2002, xerox copies of the letter dated March 22, 1993 of Dr. Shankar Dayal Sharma, the then President of India and of the letter dated March 13, 1993, jointly authored by Shri Triguna Sen, Shri Amiya Kumar Mazumder and Shri Aurobinda Nath Bose, some of the distinguished citizens of Calcutta, addressed to Dr. Sharma were furnished to the Secretary, Ministry of Home Affairs, along with a xerox copy of the endorsement No.870/11/P/10/93-Pol. dated 08.04.1993 of the Prime Minister's Office to the Home Secretary forwarding copies of the aforesaid letters to the latter for appropriate action and the Secretary, Ministry of Home Affairs was requested by the Commission to report to it immediately the action taken on the aforesaid letters and the outcome thereof. The report called for is still awaited.

MHA
All these copies were received and sent to MHA for appropriate action.

PMO.

15. A xerox copy of cor.page 41 of the Secret File No.870/11/P/10/93-Pol. Vol.I of the Prime Minister's Office and a xerox copy of the Prime Minister Office's letter No.915/11/C/2/2000-Pol dated July 11, 2002 were sent to the Secretary, Ministry of External Affairs, Government of India, with Commission's ^{registered} letter No.JMCI/Records/N.Delhi/99-2000/37(III)/234 dated August 1, 2002 and as advised by the Prime Minister's Office in their ^{aforesaid} letter dated July 11, 2002 addressed to the Secretary ~~to~~ of the Commission, and the Secretary, Ministry of External Affairs was requested to send immediately a true copy of Paras 1 to 5 of the notes dated 13.09.1993 of Shri A.K. Sinha,

Under Secretary (AP) submitted by him to J.S.(AP) since only paras 6 and 7 of the said note dated 13.09.1993 are available in the said Secret File of the P.M.O. The said true copy is yet to be received.

16.(a) The Secretary, Ministry of Home Affairs, Government of India, has been requested by Commission's registered confidential letter No.JMCI/Records/2000-01/37(II)/533 dated January 28, 2002 to let the Commission know what was the outcome of the action, if any, taken on U.O. No. 800/6/C/I/90-Pol. dated September 21, 1990 of the Prime Minister's Office addressed to Shri Naresh Chandra, the then Home Secretary, Government of India, wherewith a copy of the letter dated September 13, 1990 of Shri Amiya Nath Bose addressed to Shri V.P. Singh, the then Prime Minister of India and of the enclosure thereto which is a xerox copy of the news titled, "Fresh Clue on Netaji's Death" published in the 'Times of India' (New Delhi) dated September 3, 1990 were sent to the Home Secretary, Government of India, for appropriate action. It has also been stated in the said letter dated 28.01.2002 of the Commission that the said letter dated September 13, 1990 of Shri Amiya Nath Bose with its enclosure and the said U.O. note dated September 21, 1990 of the Prime Minister's Office are available in File No.800/6/C/I/90-Pol. of the Prime Minister's Office, on the subject, "Netaji Subhas Bose - Bringing in the ashes of". A self-contained reminder has been sent to the Secretary, Ministry of External Affairs by Registered Post with A/D vide Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/195 dated July 22, 2002. The reply of the Ministry is still awaited.

MHA
Actioned
Acl'd vide para 5/4

(b) The Director, Publication Division, Ministry of Information and Broadcasting has been requested by Commission's registered letter No.JMCI/Records/N.Delhi/99-2000/37(II)/35 dated 19.04.2002 to find out and furnish this Commission with an authenticated true copy of the Press statement, if any, of Mahatma Gandhi, which is alleged in the letter dated May 4, 1990 addressed to Shri V.P. Singh, the then Prime Minister of India, authored jointly by Shri Ashoke Nath Bose, Amiya Nath Bose, and Shri Subrata Bose, all nephews of Subhas Chandra Bose, to have been made in 1945 to the effect that Netaji did not die in any air-crash on August 18, 1945, after he spoke in details to Col. Habibur Rahman regarding alleged death of Netaji in an

M.I.B.

air-crash on August 18, 1945. The Joint Director, Publications Division, Government of India, in his letter No.1(4)/2002-CWMG dated August, 2002 (sic) received by the Commission on 27.08.2002 has stated inter alia that they could not find the said press statement of Gandhiji in their records.

17. By Commission's letter No.JMCI/DOC (FOR)/99-2000/56(IV)/232 dated August 1, 2002, the Secretary, Ministry of External Affairs, Government of India, was requested to kindly provide the Commission with the postal address, telephone Nos., E.Mail Nos., and Fax Nos. of the National Archives of the USA and Records Administration, Maryland, U.S.A. as also to provide the Commission with the particulars of the US documents on Netaji Subhas Chandra Bose pertaining to the period from August, 1945 onwards, if any, which are available there, as those particulars are urgently required for the purpose of the inquiry of the Commission. The aforesaid particulars are yet to be received.
18. The Secretary, Ministry of External Affairs, was furnished with xerox copies of Commission's letter No.JMCI/DOC (FOR)/99-2000/56(II)/123 dated June 17, 2002 and of the reply thereto given by the Prime Minister's Office in their letter No.915/2(C)/2/2002-Pol. dated July 8, 2002 by Commission's letter No.JMCI/DOC (FOR)/99-2000/56(IV)/193 dated July 19, 2002 and he was requested to furnish immediately the answers to the queries made in the Commission's aforesaid letter dated June 17, 2002. Another xerox copy of the aforesaid letter dated 08.07.2002 of the Prime Minister's Office was also sent to the Joint Secretary (CNV), Ministry of External Affairs, Government of India, with Commission's Registered letter dated August 12, 2002 as desired by the Ministry of External Affairs. The answers solicited are still awaited from the Ministry of External Affairs.
19. By Commission's Registered letter No.JMCI/Records/2000-01/37(II)/532 dated January 28, 2002, the attention of the Secretary, Ministry of External Affairs, has been drawn to U.O. No.800/6/C/I/90-Pol. dated May 23, 1990 of the Prime Minister's Office endorsed to the Joint Secretary (EA), Ministry of External Affairs, Government of India, wherewith copies of the letter dated May 11, 1990 of Shri Amiya Nath Bose, the reply dated May 19, 1990 ~~give~~ thereto given by Shri R. Sen, Joint Secretary, Prime Minister's Office, as also of the letter,

dated May 4, 1990 addressed to Shri V.P. Singh, the then Prime Minister of India, jointly authored by Shri Ashok Nath Bose, Shri Amiya Nath Bose and Shri Subrata Bose, all nephews of Netaji Subhas Chandra Bose, were sent to bring those to the attention of the Ministry of External Affairs. The Secretary, Ministry of External Affairs has been requested in the said letter dated January 28, 2002 of the Commission to let the Commission know as quickly as possible what was the outcome of the action, if any, taken on those letters. The reply is still awaited.

- MBA
20. By Commission's registered letter No.JMCI/DOC(FOR)/99-2000/56(IV)/193 dated July 19, 2002, the Secretary, Ministry of External Affairs has been furnished with a xerox copy of letter No.915/11/C/2/2002-Pol. dated July 8, 2002 of the Director, Prime Minister's Office, Government of India, which is in reply to the Commission's letter No.JMCI/DOC (FOR)/99-2000/56(II)/123 dated June 17, 2002 and the Secretary, Ministry of External Affairs has been requested to kindly furnish answers immediately to the queries made in the aforesaid letter dated June 17, 2002 of the Commission, a copy of which has been enclosed with the Commission's letter dated June 19, 2002 referred to above. The queries are as noted below :

- (a) Whether the Prime Minister's Office possesses originals of the Netaji Subhas Chandra Bose's purported Messages dated December 26, 1945, January 1, 1946 and February, 1946, appearing at pages 21 and 22 of Prime Minister Office's Confidential File No.870/11/P/16/92-Pol. on the subject, "Disappearance of Netaji Subhas Chandra Bose - p.p.s. reg." which, prima-facie, appear to have been broadcast after the alleged air-crash on August 18, 1945;
- (b) If so, what was/were the source/sources from which the original messages were obtained by the Prime Minister's Office;
- (c) If not, whether any inquiry was made by the Government of India, about the source and authenticity of those messages; and
- (d) What is the result of such inquiry ?

The reply of the Ministry of External Affairs is still awaited.

21. By Commission's letter No.JMCI/Record/N.Delhi/99-2000/37(II)/131 dated June 21, 2002 sent by Registered Post with A/D the attention of the Secretary, Prime Minister's Office has been drawn to cor.page 20 of P.M.O.'s Secret File No.870/11/P/10/93-Pol.(Vol.I) and he has been requested to send to this Commission immediately authenticated true copies of file Nos.C/551/7/92-JP and C/551/14/90-JP and of the folder bearing No.C/551/7/92-JP regarding Netaji Subhas Chandra Bose which were returned by the Ministry of External Affairs to the Prime Minister's Office, Government of India, along with the note dated 08.10.1993 of the Director (AP) of the Ministry of External Affairs to the D.S.(s), Prime Minister's Office as stated in the said cor.page 20. The said documents are yet to be received.
22. The Secretary, Ministry of Home Affairs, has been requested in Commission's registered letter No.JMCI/Study (PMO)-Follow Up/2002-2003/84/155 dated June 27, 2002 to kindly report immediately whether any treaty was signed/ratified by the Government of India in 1971 by which the limitation of time-bar regarding arrest and trial of War Criminals was withdrawn and, if so, who were the War Criminals of India or of Indian origin or of the British India for whose arrest and trial India signed the treaty in 1971. The Ministry of Home Affairs in their U.O. No.VI/11034/63/2002-IS (D.III) dated 19.07.2002 sent to the Ministry of External Affairs with a copy to this Commission, has requested the Ministry of External Affairs to kindly confirm on an urgent basis whether the said treaty was signed/ratified by the Government of India in 1971, and if so, to furnish the details of the War Criminals of India as called for by the Commission. Further development is still awaited.
23. By Commission's registered letter No.JMCI/Study (PMO)-Follow Up/2002-2003/84/134 dated June 21, 2002, the Ministry of External Affairs, Government of India, has been requested to kindly send immediately a complete list of the names and addresses of all the x Archives in Russia. The reply is still awaited.

contd...P.11.

24. Appropriate steps have been taken to get the hand-writings found in books and papers allegedly belonging to one "Gumnami Baba" tested by Hand-writing Experts and appropriate steps are being taken for testing of the relevant materials like teeth and smoking pipes, collected from Faizabad Treasury, allegedly belonging to the said 'Gumnami Baba', by D.N.A. Experts.

P. K. Sengupta
3/11/12
(P. K. Sengupta)
Secretary

BY REGISTERED POST

WITH A/D.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY

FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF

NETAJI SUBHAS CHANDRA BOSE.

'B' Block, (Third Floor)

11/A Mirza Ghalib Street, Kolkata 700 087

Fax : 0091-033-252-2765

Phone:

Chairman - 252-2835

Secretary - 252-2767

Officer on

Special Duty - 252-2765

Office - 252-2766/68

e-mail : jmcinscb@cal.3.vsnl.net.in

No. JMCI/ Records/N.Delhi/99-2000/37(III)/313

Kolkata, dated, **06.09.2002.**

**From : Shri M. Roy, IAS (Retd.),
Officer on Special Duty**

**To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.**

S i r,

I am directed to refer to the Commission's registered letter No. JMCI/Records/N.Delhi/99-2000/37(III)/235 dated 01.08.2002 (copy enclosed) and to request you to kindly provide the Commission with the report immediately as called for by it in its aforesaid letter dated 01.08.2002.

Yours faithfully,

Encl : As stated above.

**(M. Roy)
Officer on Special Duty**

To be traced

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2935
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2765/68

e-mail : jmcinscb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

NO. JMC/Records/N.Delhi/99-2000/37(III) Kolkata, dated, 1st August'2002.
/235.

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

S i r,

I am directed to refer to the endorsement No. 870/11/P/10/93-Pol. dated 08.04.1993 of the Prime Minister's Office to the Home Secretary, New Delhi, wherewith copies of the letter dated March 22, 1993 of Dr. Shankar Dayal Sharma, the then President of India, along with a copy of the letter dated March 13, 1993, jointly authored by Shri Triguna Sen, Shri Amiya Kumar Mazumder, and Shri Aurobinda Nath Bose, some of the distinguished citizens of Calcutta, addressed to Dr. Shankar Dayal Sharma, the then President of India, were forwarded to the Home Secretary, New Delhi, for appropriate action (vide copies thereof enclosed).

I am directed to request you to kindly report to the Commission immediately what action was taken on the aforesaid letters and what was the outcome thereof.

An early reply will be highly appreciated.

Yours faithfully,

Enclosures: Six(6) Sheets.

P.K.
(P. K. Sengupta)
Secretary

*This letter is
submitted as per last para of
11/8/02 letter dt
11.7.2002 at 8.46*

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinscb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

No. JMCI/Records ND/99-2000/37(III)/282 Kolkata, dated, 26th August'2002.

From : Shri M. Roy, IAS(Retd.),
Officer on Special Duty

To : The Secretary,
Ministry of Home Affairs,
Govt. of India,
North Block,
New Delhi-110001.



Sir,

I am directed to refer to this office letter No. JMCI/Records/N.Delhi/99-2000/37(III)/199(2) dated 22.7.02 and to request you to kindly furnish a true copy of the answer, as solicited in the aforesaid letter, as also the date of answering the question and final number of the question corresponding to the Lok Sabha starred question Dy No. 3424 raised by Samar Guha (Lok Sabha) during 1974.

In this connection I am directed to add that the P.M.O informed the Commission that the said question was replied by the M.H.A.

I am, therefore, directed to request you to kindly expedite the reply as solicited.

Yours faithfully,

(M. Roy)
Officer on Special Duty

M N
2/9/02

Reply sent
vide para 15/x

29/11/02-III/for
2/9

Not for
Parliament
Sule

21/11/02

No. 915/11/C/5/2001-Pol.
PRIME MINISTER'S OFFICE

3056/ISUSD-IV/or (17)
13/9/02

331/ISD-III/or
16/9/02

9287/Dir(15-7)/or
12/9/02

11th September, 2002
New Delhi-110011.

To,

Shri P.K. Sengupta
Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block (Third floor),
11/A Mirza Ghalib Street,
Kolkata-700087.

Subject: Material with regard to Lok Sabha Starred Question
Dy. No. 3424 for 28.2.1974.

Sir,

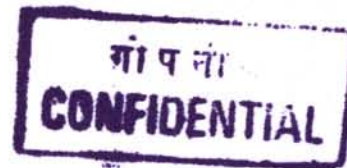
Reference is invited to JMCI's letter No. Records/N.Delhi/99-2002/37(III)/229 dated 30.7.2002 on the subject noted above and to state that on this issue a reply has already been sent to the Commission vide this office letter No. 915/11/C/5/2001-Pol. dated 12th April, 2002 (Para (i) of this letter refers). However, MHA's inability to locate any papers relating to the Lok Sabha Question Dy. No. 3424 seems surprising. Therefore, attention may be drawn to MHA's O.M. No. F.18/5/74-PH-II dated 21.2.1974 and also to this office u.o. note No. 2/64/74-PM dated 25.2.1974 placed at Page-131/correspondence and 133/correspondence respectively. A copy of this letter is being forwarded to MHA in order to help them to locate the relevant papers.

Yours faithfully,

[Renuka Kumar]
Director

us (15-7)
Do (11)
13/9/02

-2-



✓ Copy together with a copy of JMCI's above referred letter and also copies of MHA's O.M. dated 21.2.1974 and this office u.o. note dated 25.2.1974 forwarded to **Deputy Secretary (IS-I), MHA** for information and necessary action.

[Renuka Kumar]
Director

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JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:
Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68
e-mail : jmcinscb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

NO. JMCI/Records/N.Delhi/99-2000/37(III) Kolkata, dated, 30th July' 2002.
/229.

From : Shri P.K. Sengupta,
Secretary

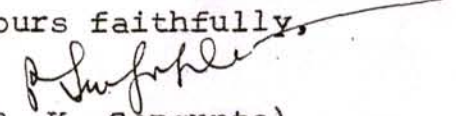
To : The Secretary,
Prime Minister's Office,
South Block,
New Delhi-110001.

S I R,

F/42
I am directed to refer to Lok Sabha Starred Question D. No. 3424, a copy of which is available at cor.page 132 of the Prime Minister's Office secret File No. 2(64)/56-70-PM Vol.V and to request you again to send to the Commission immediately an authenticated true copy of the answer of the Government to the said Lok Sabha Starred Question as also of the Government notes on the Supplementaries regarding the said Lok Sabha Question.

I am further directed to state that the Ministry of Home Affairs in reply to the reference made by the Commission in the aforesaid matter has stated by their letter No. 12014/13/2000-IS (D.III) dated July 18, 2002 that the Ministry of Home Affairs have not been able to locate the papers relating to Lok Sabha Starred Question DY. No. 3424 and requested the Commission to get in touch with Prime Minister's Office.

Yours faithfully,


(P. K. Sengupta)
Secretary

S.No-86

MOST IMMEDIATE
PARLIAMENT QUESTION

No. F. 18/5/74-Poll.II
Government of India
Ministry of Home Affairs
(Grih Mantralaya)

...
New Delhi, the February, 1974.

OFFICE MEMORANDUM

Subject:-Lok Sabha Starred Question D.No. 3424 tabled
by Shri Samar Guha, regarding Netaji Inquiry
Commission.

....

The undersigned is directed to refer to Ministry
of External Affairs' U.O.endt. No. C/125(1)74-JP, dated
the 18th February, 1974, on the subject mentioned above.
This Ministry accepts the transfer of the advance notice.
Facts relating to the question are being ascertained from
the Prime Minister's Secretariat and will be communicated
to the Lok Sabha Secretariat as soon as possible.

(ASOK GUPTA)
UNDER SECRETARY TO THE GOVT. OF INDIA

To

The Lok Sabha Secretariat
(Question Branch)
New Delhi.

...

No. F.18/5/74-Poll.II Dated the 21st February, 1974.

1. Copy forwarded to the Ministry of External Affairs,
with reference to their U.O. referred to above.
2. Copy with a copy of the question to the Prime Minister's
Secretariat. It is requested that necessary material
for answering the question may kindly be furnished
to this Ministry immediately.

Amend 21/2/74
(ASOK GUPTA)
UNDER SECRETARY TO THE GOVT. OF INDIA

...

p-26(11)

S.No-86

120
130
118

QUESTION FOR THE LOK SABHA - ADVANCE NOTICE

Starred D.No.

3424

Ministry to which the day has been allotted External Affairs

The Question will, if admitted be put for the sitting on 28.2.1974.

NETAJI INQUIRY COMMISSION

SHRI SAMAR GUHA:

Will the Minister of External Affairs be pleased to state.

(a) Whether it is a fact that late Prime Minister Pandit Jawaharlal Nehru had made a request to the former President of China, Generalissimo Chiang Kaishik, to conduct an enquiry into the report circulated by the Japanese Radio regarding alleged death of Netaji Subhash Chandra Bose in a plane crash at Tasheko (Taipie) in 1945;

(b) whether the Mayor of Taipie (Taihoko) conducted an enquiry into the reported plane crash and submitted his findings to the then President of China to this effect that the report was unfounded;

(c) whether the President of China informed Pandit Nehru about the findings of the inquiry;

(d) if so, the reasons for not submitting the correspondence between Pandit Nehru and Chiang Kaishik before the Netaji Inquiry Commission;

(e) whether these correspondence are missing or have been destroyed by the Government;

(f) whether the Government will write to the Government of Taiwan for supplying copies of such correspondence from this archive to the Netaji Inquiry Commission; and

(g) if not, the reasons thereabout?

S.No. 87
Not Immediate
Parliament Question
12/11/74
PRIME MINISTER'S SECRETARIAT

Subject:- Lok Sabha Starred Question Dy. No. 3424
tabled by Shri Samar Guha, regarding Netaji
Inquiry Commission.

.....

Reference Ministry of Home Affairs endorsement
No. F.18/5/74-Poll.II dated the 21st February, 1974
on the subject mentioned above.

2. In this connection attention is invited to this
Secretariat U.O.No. PMS.307 dated the 5th January,
1974. We have no material on the subject.

7c *25/2*
(N.S.Sreeraman)
Private Secretary
to the Prime Minister.

SSA 07c
Ministry of Home Affairs (Shri Asok Gupta) (Under
Secretary)

Prime Minister's Secretariat U.O.No. F.2/64/74-PM
Dated the 25th Feb., 1974

12/11/74
MS
25/2/74

2 (64)

S.No. 89

S.NO. 88(R)

6223/JS(15)2
19.9

9571/0-2 C1 S22n
19/9/2002

122

MOST IMMEDIATE

CABINET SECRETARIAT
RASHTRAPATI BHAVAN

Subject:- Investigation into the circumstance leading to the death of Netaji
Subhas Chandra Bose - Post record.

Reference is invited to MHA U.O. No. I/12014/13/2000-ISD III dated
16.09.2002 regarding furnishing of authenticated documents to the Justice
M.K. Mukherjee Commission of Inquiry on the subject mentioned above.

2. In this connection this Secretariat I.D. note of even number dated
10.11.2000, wherein all the documents asked for by the Commission had
been sent to MHA, may please be referred to. Attention is also invited to
this Secretariat endorsement letter dated 19.09.2001 informing the
Commission that MHA were requested to send papers directly to the
Commission.

3. In view of the above and the fact that MHA are presently
coordinating with the Commission on behalf of Cabinet Secretariat, it is
requested that the documents asked for by the Commission may please
be furnished urgently to them under intimation to this Secretariat.

(Shatrughna Singh)
Director

M/o Home Affairs [Shri A.K. Jain, Joint Secretary.]

Cabinet Secretariat ID Note No.281/12/1/2000-TS dated 18.09.2002.

for immediate
compliance.

17
19/9

25/8/2000.

341/ISD-III/182
20/9

MHA/IS(D.III)

Justice Mukherjee commission of Inquiry vide their letter dated 14.6.02 (P.92/C) have sought authenticated true copies of the following documents mentioned in para 1 of the letter No. 281/12/1/2000-TS dated 19.9.01 of the Cabinet Sectt.

- i) F.No.10/22/CF-68- regarding issue of commemorative stamps/coins of Netaji on 21.10.68 on the occasion of Silver Jubilee of Azad Hind Govt.
- ii) F.No. 6/5/9/77-CF- containing Cabinet decision dated 17.9.77 regarding Motion in Lok Sabha by Shri Samar Guha for fresh inquiry.
- iii) 10/21/CF 69 – containing Cabinet decision dated 6.3.70 regarding fresh inquiry (Relevant F.No. 29/48/69-Poll) which is not available.
- iv) F.No. 6/1/6/74- Containing Cabinet decision dated 29.8.74 regarding report of one man inquiry .
- v) F.No. 6/5/1/91-TS containing CCPA decision on 27.2.91 regarding ashes o Netaji.

As per record it appears that documents mentioned at S.No. (1) above is infact originated from Ministry of Finance. D/o Economic Affairs to whom a reference was made to that Ministry on 8.11.00 as whether the said documents can be declassified. The classification of this document will be decided based on the views of Department of Economic Affairs.

In regard to documents mentioned at S.No. (iii) viz. 10/21/CF-68 containing cabinet decision on 6.3.70 which was available in F.No. 29/48/69-Pol is not available. The commission has already been informed by an affidavit dated 27.2.01.

In regard to other documents mentioned at (ii),(iv),(v) it is presumed that these documents could be made available in F.No. I/12014/9/77-IS(D.III) may

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and I/12014/6/90-IS(D.III). These two files are already under submission with the Commission. In the absence of the above two files it is not possible to ascertain whether the documents referred at S.No. (ii), (iv) & (vi) are available in those file.

Submitted please.

125

No. I/12014/13/2000-IS(D V.)
GOVT. OF INDIA
MINISTRY OF HOME AFFAIRS

New Delhi, Dated: 27.10.02

To

The Secretary
Justice Mukherjee Commission of Inquiry
B Block (Third Floor)
11/A, Mirza Ghalib Street,
Kolkata 700 087

SUBJECT: STATUS REPORT FROM 1.7.02 TO 31.7.02

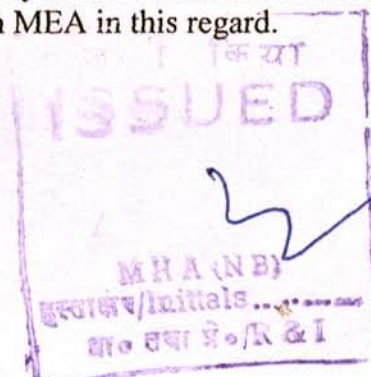
Sir,

v p. 97/cw
I am directed to refer to letter No. JMCI/Meeting-Proceeding (Follow-up)/Kolkata dt.3.9.02 an to say that the Commission has already been apprised of vide affidavit dated 19.12.01 that averments/allegations made in the affidavits/supplementary affidavits by Shri Jyoti Chand Basu and 8 others were the matters of records subject to the consideration by the Hon'ble Commission. As such no further affidavit is required to be filed in this regard.


In regard to other issues raised in para 8 & 9 of the Status Report in July 02 and August 02 the Commission has already been apprised of the entire position through this Ministry's affidavit dated 27.3.10. - 27/2/01 - p.55/cw.

As regards making available a copy of the judgement/order dated 4.3.87 of Rajasthan High court, Deputy Registrar has been requested to furnish a legible and attested copy of the judgement/order of Rajasthan High Court dated 4.3.87 to the Commission directly under intimation to this Ministry. Efforts are also being made to obtain copy and the same will be furnished as soon as it is available.

No 34/63/2002
15.10.02
Please issue
22/10/02
In regard to the report about treaty signed/ratified by the Govt.1971 regarding trial of war criminals, MEA has been advised to provide the report, if available with them, directly to the Commission as intimated. The Commission may like to take up the matter with MEA in this regard.



Yours faithfully


(M.S. ZUHA)
DESK OFFICER

126

No.I/12014/13/2000-IS(V)
Government of India
Ministry of Home Affairs

.....

24/
New Delhi dt. 10.2002

To

Shri M.Roy
Officer on Special Duty
Justice Mukherjee Commission of Inquiry
B Block, Third Floor
11/A, Mirza Ghalib Street, Kolkata.

Sir,


I am directed to refer to your letter No. Records/N. Delhi /99-2000/37(III)/313 dated 6/9/02 regarding action taken report on letter dated 22.3.93 of Dr. S.D. Sharma the then President of India and to say that the instant reference on receipt from PMO was subsequently sent to Ministry of External Affairs for appropriate action. The Commission may like to take up the matter with Ministry of External Affairs in this regard.

In regard to making available a copy of the answer to the Lok Sabha Starred Question Dy.No. 3424 raised by Shri Samar Guha during 1974 it may be mentioned that the said question was transferred from P.M.O to this Ministry at notice stage for acceptance on 21/2/1974 but it is not clear whether the question was ever admitted as Starred or Unstarred or Otherwise. However all the existing records have been checked but nothing could be traced.

Please issue
24/10



Yours faithfully,


(M.S. ZUHA)
DESK OFFICER

127
Top Secret



AK Gupta
Joint Director

T. 229/Di. 11/5/02
7/10
No. D.O. No. IV/8(22)/2002 -1425

आसूचना ब्यूरो

गृह मंत्रालय

भारत सरकार

2023/2002-T
30/9
INTELLIGENCE BUREAU

(Ministry of Home Affairs)

Government of India

नई दिल्ली, दिनांक 20
New Delhi, dated 27/9/2002

TS-82/20(15-II) 2
7/10
Dear Sh. Jain,

Enclosed herewith is a copy of Justice Mukherjee Commission of Inquiry, Kolkata (JMCI) letter No. JMCI/Meeting-Proceedings (follow-up)/99-2000/48(Vol.III)/9 dated 29.5.02 forwarding therewith a copy of counter-affidavit filed by Shri Sunil Krishna Gupta as a rejoinder to an affidavit dated 12.12.01 filed by the IB in respect of disappearance of Netaji Subhash Chandra Bose, a copy of which was endorsed to the MHA vide our DO letter No IV/8(66)/2001-2184-85 dated 12.12.01. The JMCI have asked the IB to comment on the averments of Shri Gupta in his counter-affidavit.

2. It may be mentioned that Shri Gupta had earlier forwarded a list of exhibits, marked as "Com No" of Justice Khosla Commission of Enquiry, to the JMCI on 3.7.01. These, in turn, were sent to the MHA and a copy of the same was received by us from the MHA vide ID Note No. I/12014/13/2000-IS (D.III) dated 14.8.01 with the advice that the documents, out of those mentioned by Shri Gupta, available with the IB be sent to the JMCI alongwith an affidavit. This was duly carried out under intimation to the MHA vide our DO letter dated 12.12.01 mentioned above. Shri Gupta has now filed a counter-affidavit as a rejoinder to our affidavit and the same has been sent to us for comments.

3. The matter was discussed with the Asstt. Legal Advisor of the IB who has opined that the para-wise reply to the counter-affidavit should be got vetted by the Government Counsel who is appearing on behalf of the GoI. A copy of his opinion is enclosed for ready reference.

4. A para-wise reply to the averments made by Shri Gupta in his counter-affidavit has been prepared and the same has to be got vetted by the Central Government Counsel. It is requested that the Central Government Counsel may be issued necessary instructions in this regard. An officer of SIB, Kolkata would meet him with a copy of the counter-affidavit to be filed before the JMCI after hearing from you.

Warm regards.

Yours Sincerely

(AK Gupta)

Shri Akhil Jain,
Joint Secretary,
Ministry of Home Affairs,
New Delhi.

Encl: As stated.

TS-82/20(15-II) 2
7/10
DIRECTOR (IS-II)

Urgent
Mr. Dhiman (Thru T. B.)

11/8-22379-1

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/60

e-mail: jmcinscb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

/99-2000/48 (Vol.III)/99

No. JMCI/Meeting-Proceeding (Follow-Up) Kolkata, dated, May 29, 2002

From : Shri M.Roy, IAS (Retd)
Officer on Special Duty

To : Shri Sanjoy Sinha,
Joint Director,
Intelligence Bureau
(Ministry of Home Affairs)
Government of India

S i r,

I am directed to send herewith a copy
of counter-affidavit filed by Shri Sunil Krishna
Gupta as rejoinder to your affidavit dated 11.12.2001,
with the request to offer your comments on the averments
of Shri Gupta in the counter-affidavit.

Yours faithfully,



(M.Roy)
Officer on Special Duty

Enclo: As stated above.

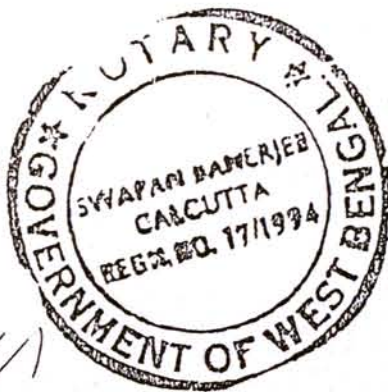


Netaji 38
18/5/02

BEFORE THE HON'BLE JUSTICE MUKHERJEE COMMISSION OF INQUIRY
(1999)

IN THE MATTER OF :

AN AFFIDAVIT OF SHRI SANJAY SINHA,
JOINT DIRECTOR, INTELLIGENCE
BUREAU, GOVERNMENT OF INDIA, DATED
11TH DECEMBER, 2001 ALONGWITH A
FORWARDING LETTER TO THE SECRETARY
OF THE HON'BLE COMMISSION DATED
12TH DECEMBER, 2001.



AFFIDAVIT IN OPPOSITION ON BEHALF OF PETITIONERS (JMCI - 11)

I, Sunil Krishna Gupta, son of late Tripura Krishna Gupta, aged about 74 years, by faith Hindu, resident of 38, Vidya-sagar Street, Kolkata - 700 009, do hereby solemnly affirm and state as under :

1. That I am one of the Petitioners of the said petition and am well acquainted with the facts and circumstances of the matter and issue under the 'Terms of reference' and also have been authorised by all the Petitioners of the statement to affirm this Affidavit for and on their behalf and as such, I am competent to affirm this affidavit and depose to the same.

2. I also appeared before Netaji Inquiry Commission, 1970 as an authorised representative of both the All India Forward Bloc & late Suresh Chandra Bose (elder brother of Netaji). I attended almost all the sittings of the aforesaid Commissions in India and abroad except sessions held in South East Asia and



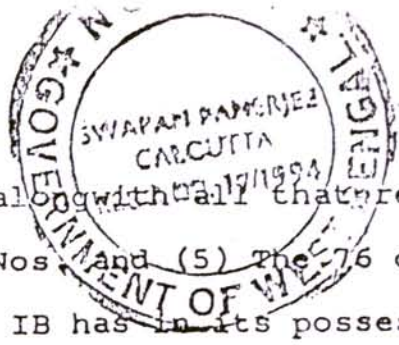
as such, I am well conversant with the entire proceedings of Netaji Inquiry Commission, 1970.

3. I have read the copy of the Affidavit of Sri Sanjay Sinha, Joint Director, Intelligence Bureau, Government of India affirmed on 11th December, 2001 and the copy of Mr. Sinha's forwarding letter to the Secretary of Hon'ble Mukherjee Commission dated 12th December 2001.

4. The Petitioners say that save and except what are matters of record and what are specifically admitted hereunder, the Petitioners deny and dispute each and all contentions / submissions in the Affidavit and the covering letter of Mr. Sanjay Sinha, Joint Director, Intelligence Bureau, Government of India dated the 11th December and 12th December 2001 respectively as if the same were set out hereunder and specifically traversed, denied and disputed.

5. That, no prima facie ground has been made out in the Affidavit and the letter of Shri Sanjay Sinha, Joint Director, IB, Government of India, for nonavailability of documents the Hon'ble Mukherjee Commission has called for.

6. The subjectmatter of Mr. Sanjay Sinha's (Petitioner) letter can be divided into five parts viz, (1) Of the list of 47 exhibits (Marked as Com Nos of Justice Khosla Commission) submitted to the Hon'ble Justice Mukherjee Commission, documents mentioned against 33 Com Nos have been singled out as 'may have been of IB', (2) Out of 33 Com Nos, 23 Com Nos have been further picked up to inform us that 12 documents mentioned against them have already been sent to the MHA, (3) Of the remaining 10 (33-23=10) of the 33 Com Nos documents mentioned against 4 Com Nos are stated to be available in the PMO, (4) The documents mentioned against the remaining 6 of the said 10 Com No are not presently available with IB as the



concerned files have been destroyed along with all that remain of the 47 exhibits i.e. 14 (47-33) Com Nos. and (5) The 76 old files on INA and Subhas Chandra Bose which IB has in its possession, have not been considered relevant in the context of the disappearance issue and as such, they have not been furnished to the Commission. To sum up, 33 out of 47 Com Nos. have been identified as those of IB only to inform us at the end that documents mentioned against 23 of them have been sent to the MHA and of the remaining 10, 4 are in the PMO, and six alongwith 14 of 47 exhibits fall in the category of documents presently not available. In other words, nothing is available with the IB. The grandiose discussion on documents with rather a protracted reference to Com Nos.s ends in a whimper. It has such gaping loopholes that the argument of non-availability seems too jejune to be accepted. It leads to the conviction that what is being dished out with such fanfare is anything but the truth. The following would prove it conclusively.

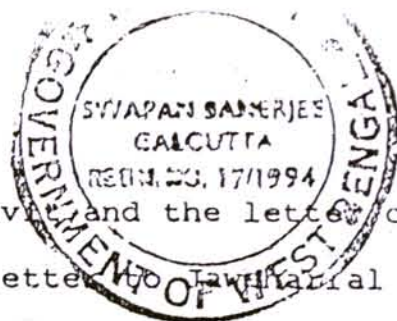
7. In paragraph 3 of the letter it is stated that the documents mentioned against 4 Com No.s are available in the PMO, but their corresponding office copies in the IB have been destroyed. The questions that remain unanswered and hence as intriguing as ever, are (a) Do they belong to the PMO?, (b) How does the question of keeping their office copies in the IB arise, if the IB is in no way concerned or associated with them? (c) If they belong to the IB, why and when have they been sent to the PMO? (d) Why, when and following whose order the said corresponding office copies were destroyed?

8. The documents mentioned against 20 Com Nos (6+14) i.e. what is left, after tracing some to the MHA and some to the PMO, are referred to as 'other documents' both in the Affidavit and in the letter. They are, both the letter and the Affidavit state, 'presently not available' as the concerned files have been destroyed. The statement 'presently not available' means they are not available



now. The word 'now' surely, means when the Hon'ble Commission's letter enquiring about a list of exhibits marked as Com No.s. This is because, the letter and the Affidavit have been sent to the Commission in response to the said letter of the Commission. Unmistakeably therefore, those documents were with the IB before the IB received the Commission's letter. The 'non availability' occurs after the IB receives the Commission's letter. In short, if they were destroyed at all, they were destroyed after the IB had received the said letter from the Commission. On all counts - whether they were destroyed or not, this is malafide and a brazen act of suppression of the truth.

9. In connection with the issue of non-availability of documents the undersigned petitioners / deponents would like to refer to what "Mr. B.N. Mallik", DIB deposed before Netaji Inquiry Commission of 1970. Mr. Mallik, then, denied having any files or for that matter any document on investigation / inquiries into the Shaulamari affair. But it was found out later from a secret letter No.III(S1)/63(b) dated 16.11.63 (B.N.Mallik DIB, to K.Ram, PPS to the Prime Minister) produced before the Khosla Commission that the State Intelligence Bureau did carry out investigation of the Shaulamari affair. What Mr. Mallik deposed before Khosla Commission, therefore, was an unadulterated lie. This has been the practice with the IB especially with its state units, so far as the disappearance issue is concerned. Such a design, conceived ingeniously to explain to explain away non-availability of documents, would be evident from the striking similarity between Mr.Mallik's factually incorrect statement before Khosla Commission and the IB's present Affidavit which categorically states that they have nothing except what they had already furnished to the Shahnawaz Committee. Shri A. Jayaram, Director of Intelligence Bureau, on oath, deposed before Khosla Commission on 9.8.72 that the IB has 'very vast document' especially in connection with Shaulmari Asram and that the IB can collect and make available to the Khosla Commission 'reports regarding Netaji from the year 1947 onwards'



from its state units. The present Affidavit and the letter of Mr. Sinha have enlisted Prof. Atul Sen's letter to Jawaharlal Nehru and the latter's reply to Mr. Sen as those documents which are not presently available due to destruction of the concerned files. But a xerox copy of Nehru's letter in reply to Prof. Sen has been found in the PMO's file sent to the Hon'ble Mukherjee Commission. With the IB let us know whom do they want to fool about nonavailability? They could specifically mention documents against certain Com Nos. as these⁰ available in the PMO and MHA. They could not, however, say anything about the whereabouts of the said document designating it as their's (as other documents belonging to the IB) except stating that the same is included in the list of those that are destroyed. Will the IB still confine itself to the bogey⁰ of nonavailability and wash its hands off in regard to the aforesaid exhibits of Khosla Commission marked as Com Nos? Whom do they want to shield on such a national issue raised in public interest?

10. It has been stated in Mr. Sinha's letter that the 76 files the IB has in its possession do not have any bearing on the disappearance issue. The subjectmatter of some of those files of which the IB has microfilms are as follows :

- (a) 1/INA/D/69 INA : Extract of news item from Jugantar Calcutta dated 4.3.69 captioned "Escape of Netaji by Submarine from Singapore"Gora Chand Sanyal.
- (b) 31/DG/56 Netaji Enquiry Committee : Extract from civil and Military Gazette dtd.30.1.56 send investigation to Far East.
- (c) 25/DG/70 INA : Note on the issue 'Whether Netaji Subhas Bose is still alive or not' Attached reports from DD/STB; Calcutta.

(d) 3/INA/50 INA General File :

IB No. 3/INA/50 dtd. 19.1.50 addressed to
Combined Inter Services strength of INA.

Will the the IB explain now, as to why instead of leaving it to the Hon'ble Mukherjee Commission to ascertain the relevance of the said 76 files in the context of the Hon'ble Commission's terms of reference, they have taken a decision not to send them to the Commission? Do the subjectmatter of some of those files referred to ^{to, herein 3,} above seem to them absolutely unrelated to the issue under consideration? What becomes palpably evident from this, is an utter callousness born out of resistance to any revelation of the truth. In no other way the farce that has been enacted in the name of search for documents can be explained. On a National issue having immense international importance, such a response from the IB is an unpardonable antinational act. This is disgrace.

The statement made in paragraphs 9 and 10 are true to my knowledge and the contents of the rest are my respectful submissions before the Hon'ble Commission.

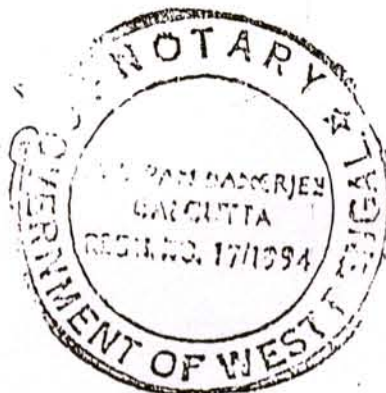
Sunil Krishna Gupta
(Sunil Krishna Gupta)

Solemnly affirmed and
Declared before me on Identification

Swapan Banerjee

SWAPAN BANERJEE
Notary, Calcutta.

Govt. of W.B. Regn. No. 17/04
D/O, Karunamoyee Housing Estate
Calcutta-91



= 8 MAY 2002

As per standard practice and procedure followed in a court of law a rejoinder reply to an affidavit should be replied by filing another affidavit in opposition. However, this is a special case, because the matter is before a Commission of Inquiry and therefore the parawise comments on the rejoinder reflecting correct factual position should be submitted before the Govt. Counsel who is appearing on behalf of COI for his opinion on the matter before sending a reply to the Secretary of the Inquiry Commission.



(J.K. Das)
Asstt. Legal Adviser
16.8.2002

BY FAX

(FAX NO. 033-8371631)

No. I/12014/13/2000-IS.V
GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

* * * *

New Delhi, the 18th October, 2002.

To

Shri Tarakeswar Pal,
Advocate & Sr. Standing Counsel to the
Government of India,
Justice Mukherjee Commission of Inquiry,
Bar Association, Room No. 5,
High Court of Kolkata,
KOLKATA.

Subject : Filing of counter-affidavit by IB before
Justice Mukherjee Commission of Inquiry.

* * *

Sir,

Justice Mukherjee Commission of Inquiry, Kolkata, forwarded a copy of counter-affidavit filed by Shri Sunil Krishna Gupta as a rejoinder to an affidavit dated 12.12.01 filed by the IB in respect of disappearance of Netaji Subhas Chandra Bose with the request to file counter-affidavit.

2. The matter has been examined by the IB in consultation with its Legal Advisor who advised that the para-wise reply to the counter-affidavit should be got vetted by the Government Counsel who is appearing on behalf of the Government of India. Accordingly, IB has prepared the para-wise reply to the averments made by Shri Gupta and an officer of SIB, Kolkata, would meet you with a copy of counter-affidavit to be filed before the Justice Mukherjee Commission of Inquiry.

3. You are requested to please do the needful as soon as an officer of SIB, Kolkata gets in touch with you after seeking prior appointment.

Yours faithfully,



(M.S. ZUHA)
DESK OFFICER (IS.V)

✓ Copy for information to Shri A.K. Gupta, Joint Director, IB, with the request to get in touch with Shri Tarakeswar Pal in this regard.

Please issue
18/10
P.B. No 11
18/10

8/10



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JUSTICE MUKHERJI COMMISSION OF INQUIRY

For inquiry into the alleged disappearance of
Netaji Subhas Chandra Bose, Appointed by the Govt. of India

Ministry of Home Affairs

'B' Block (3rd floor), 11/A Mirza Ghalib Street

Kolkatta 700087.

(Camp Office: New Delhi)

Pradyot Kumar Sengupta
Secretary

1582/Dir (IS-II) 2
87/10
357/ISV/02
8/10

D.O. No. JMCI/2002 /

October 7, 2002

Dear Mr. Kalra,

Please recall my discussions with you today regarding study of the files and records relating to Khosla Commission of Inquiry which are lying in the Ministry of Home Affairs. In this connection, a reference may be had to the affidavit sworn by Mrs. Sangita Gairola, the then Joint Secretary (IS-I), MHA on 19.12.2001, After discussions with you, I met Mrs. Rita Dogra, Under Secretary, and she accompanied me to the Record Room where the said records, files etc. were said to be lying. After a preliminary survey I gave her copies of the lists indicating therein the files, records, etc. required to be studied by the Commission.

I would request you to kindly arrange to get those records and files ready for study by an officer of the Commission to be deputed for the purpose. All necessary assistance may be extended to him to study the files and take with him such records and files as may be considered relevant for the inquiry.

An early reply will be highly appreciated. An officer of the Commission will be deputed for the purpose after receiving your reply.

With regards,

Yours sincerely,


(PRADYOT KUMAR SENGUPTA)

Shri Umesh Kumar Kalra
Director (IS-II)
Ministry of Home Affairs
North Block
New Delhi

u
07/10

USC M. Dogra

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE,
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252 2765

Secretary - 252 2767

Officer on

Special Duty - 252 2765

Office - 252-2760/62

e-mail : jmciscb@vsnl.net.in

Fax : 091-033-252-2765

No. JMCI/Records/99-2000/37(III)/362

Kolkata, dated, Oct '04, 2002

Dear

I am to request you to kindly refer to the affidavit sworn by your predecessor-in-office Sm. Sangeeta Gairola in the matter of compliance with the orders of the Commission as passed in its proceeding dated October 17, 2001 held at New Delhi and to inform you that I shall be going to your office on 7.10.02 in order to make a preliminary examination of the files/documents/records mentioned in Annexure 'A' and Schedule - II to the said affidavit. The Section Officer of the Commission in New Delhi Sri S.N.Singh will help me in this work.

I am, therefore, to request you to kindly ask the concerned officer and staff to extend all necessary help and assistance to me and Sri Singh to enable us to see the files/documents/records as mentioned above.

With warm regards,

Yours

Sd/

(P.K.Sengupta)
Secretary

To
Sri Akhil Jain
Joint Secretary (IS)
Ministry of Home Affairs
Government of India, North Block
New Delhi-110001.

No. JMCI/Records/99-2000/37(III)/362/i
dt. 4.10.02.

Copy forwarded to Sri S.N.Singh, Section Officer, (Branch Office Delhi) for information and necessary action.

(P.K.Sengupta)
Secretary

350/JS v/2002
7/10/02

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So D/II
Pl give along with
file
7/10

LIST OF FILES/DOCUMENTS/RECORDS AVAILABLE FOR THE
CONSIDERATION OF THE HON'BLE COMMISSION

Sl. No.	File No.	Subject
1.	-	Record of Oral evidence-Vols. 1 to 17 (pages 1 to 4681) (details given in schedule-1 attached). <i>Received</i>
2.	-	Register of day to day working of the Netaji Inquiry Commission-1970.
3.	-	List of orders passed by the Chairman (Some orders signed by Chairman, Shri G.D. Khosla in original) (21.8.70-30.7.73)
4.	-	Shah Nawaz Khan-W-1 (Exhibits produced by Shah Nawaz Khan-before the Commission containing original affidavit of Shah Nawaz Khan dated 22.12.70.
5.	-	Record of the Proceeding of the Commission-Vol.XX- <u>Pages</u> 5532-5907 (dated 17.12.73 to 2.1.74). <i>✓</i>
6.	-	Record of the proceeding of the Commission-Vol.XXI- <u>Pages</u> 5908-6486 (dated 14.1.74 - 22.1.74) <i>✓</i>
7.	-	Vol.XXIII-Verbatim proceeding of the sitting of the Commission held on 15.2.74, 21.2.74 and 22.2.74 (no page Nos. given). <i>✓</i>
8.	-	Proceedings of the Commission on the 11 to 14 March 1974-Vol.XXIV (No page nos. given). <i>✓</i>
9.	-	Order of the Chairman dated 18.9.73.
10.	-	Order of the Chairman dated 13.12.73.
11.	-	Order of the Chairman dated 30.7.1973.
12.	-	Chairman's order dated 27.12.1973.
13.	-	Commission's order dated 2.1.1974.
14.	-	Translation copies of the document filed before the Commission at Taipei. <i>See</i> <i>✓</i> <i>A</i>
15.	-	Death of Subhas Chandra Bose-Summary of Record's in the mounbatten diaries (WO 172F in P.R.O.) relating to the event. (two typed pages-2 copies). <i>See</i> <i>✓</i> <i>A</i>
16.	-	Nation's Homage- life and work of Netaji Subhas Chandra Bose.
17.	-	Material supplied by Government.
18.	-	Material pertaining to the reported death of Netaji Subhas Chandra Bose (list of Lok Sabha debates etc.)
19.	-	One Tape (received from Khosla Commission).
20.	-	Netaji in Germany-Book.



ATTESTED

NOTARY PUBLIC
NEW DELHI (INDIA)
30 DEC 2001

21.	-	One Japanese Book relating to Subhas Chandra Bose.	(A) } Two books
22.	-	Netaji Mystery-Book. ✓	(A) }
23.	-	INA & Its Netaji-Book. ✓	(A) }
24.	-	Netaji Subhas Chandra Bose/Havashida-Book.	
25.	-	The Indian National Army-Book.	
26.	-	Type material-Bhavan's Book university-Netaji in Germany (A little-known chapter) by N.G. Ganguley.	
27.	-	F.No.30/131/69-A&N-Netaji Subhas Chandra Bose Memorial to proposal regarding.	
28.	-	A bundle of misc. loose papers containing copies of secret reports of Ministry of Defence and some papers from Embassy of India-Tokyo on the death of Netaji (details in schedule-II attached).	
29.	1/10/70-NIC	Personal file of Shri Ghanashyam, Peon.	
30.	3/13/73-NC Vol.1	Formosa visit. ✓ P.No. 130, S.No. 148	
31.	6/28/73-NC	Reference received from Shri Samar Guha, MP regarding appearing of Col. Habibur Rehman before NIC.	
32.	6/13/72-NC	L.S. Qn. No.1007 for 2/8/72 Memorandum submitted to the Commission. ✓	SM 176
33.	4/35/71-NC	Summons issued to Genl. Wadalia, Qutab Stud. Agricultural Farm, New Delhi.	
34.	3/2/70-NIC	Accommodation for having session at Vigyan Bhavan.	
35.	25/13/70-Poll-II	Fresh Inquiry into the disappearance of Netaji Subhas Chandra Bose in 1945- demand for.	
36.	25/16/70-Poll-II	Appointment of Commission of Inquiry for fresh into disappearance of Netaji- Misc. correspondence with members of public. inquiry	
37.	1/11/80-D.III	Reference received from Prime Minister's Office to consider a suggestion made by Shri Tatsuo Hayashida for bringing the ashes of Netaji Subhas Chandra Bose to India for permanent repose.	
38.	VI/11034/149/96-D.III	Misc. references pertaining to death/disappearance of Netaji Subhas Chandra Bose.	
39.	-	List of exhibits produced by the witnesses-Master Copy. ✓ SI.No. 311	
40.	-	List of files received from Ministry of External Affairs. ✓ SI.No. 312	
41.	-	List of Books produced by witnesses ✓ SI.No. 313	
42.	-	List of documents asked for from the Govt. showing their position availability. ✓ SI.No. 314	
43.	-	List of Exhibits marked as "Com No" during the arguments session held at Vigyan Bhavan from ✓ SI.No. 315	



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NEW DELHI (INDIA)
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		10.9.73 to 20.11.73. ✓ - 315
44.	-	Parliament Questions on Netaji Subhas Chandra Bose's death answered during 1970. ✓ SMO. 316
45.	1/13012/17/82-D.III	Lok Sabha Starred Question Dy.No.3279 for 3.3.1982 by Shri A.K. Roy regarding item captioned 'on Netaji Trial'. ✓ SMO. 317
46.	1/18/71-NC	Personal file of Shri R.C. Sharma, Peon. ✓
47.	1/19/71-NC	Personal file of Shri Shiv Charan Lal, Peon. ✓
48.	1/20/70-NC	Personal file of S.K. Sengupta, Peon. ✓
49.	1/26/72-NC	Personal file of Shri G.R. Nair, IAS. ✓
50.	1/15/70-NC (Vol.III)	TA Bills of the Chairman. ✓
51.	4/3(a)/70-NC	Urdu letter from Ram Nath Agarwal. ✓
52.	4/4/70-NC	Abdul Razak (General letter for information). ✓
53.	-	Report of S.A. Ayer on Fatal Aircrash of Netaji Subhas Chandra Bose at Taihoku (FORMOSA) on August 18, 1945. ✓
54.	-	China Post- Newspaper report. ✓
55.	-	Register showing attendance of the counsels of the commission appointed by the Chairman Netaji Inquiry Commission to assist the commission. ✓
56.	-	Write off of Loss- Orders of Secy. about loss of tray. ✓
57.	-	Trunk Call Register for Telephone No.386220. ✓
58.	-	Telephone Rent Bill Register from 1972-74. ✓
59.	-	Telephone Trunk Call Register from 1.4.72 to 30.6.74. ✓
60.	-	Register showing purchase of Newspapers etc. for Netaji Commission. ✓
61.	-	Rates- DLY & DLZ CARS. ✓
62.	-	Pay Bill file of Shri R.L. Malhotra, Asstt.Secy., Netaji Inquiry Commission, for the year 1973-74. (1 st August 1973 onwards). ✓
63.	-	Register showing purchase of Newspapers etc. for Netaji Inquiry Commission from 1.4.73. ✓
64.	-	Pay Bill file of Shri U.S. Mittal, Asstt. Secy. - 1972-73. ✓
65.	-	Communication from Shri M.L. Anand, PS to Chairman regarding arranging of Cars. ✓
66.	-	Review of Telephone bills of 1973-74 & 1974-75. ✓
67.	-	Law Commission of India, Forty-Third Report of Offences Against the National Security. ✓
68.	13012/16/75.S&P (D.III)	Starred question D.No.1391 in Lok Sabha for 26 th Feb. 1975 regarding material for publication of book "Last days of Netaji" by Shri Samar Guha. ✓
69.	13012/49/76.D.III S&P	Parliament question- by Shri Subhodh Hansda- ✓



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		regarding preservation of Ashes/remains of Netaji brought from Tokyo.
70.	21015/932/78.D.III	Setting up of another Commission on Netaji Subhas Chandra Bose.
71.	12014/12/78.D.III.IS	Motion in the Lok Sabha by Shri Samar Guha for a fresh inquiry into the disappearance of Netaji Subhas Chandra Bose.
72.	13013/56/78.D.III (S&P)	Rajya Sabha 460 about the ashes of Netaji Subhas Chandra Bose.
73.	12014/6/79.IS.D.III	Letter from Sri. Pramanda Bajpayee about Netaji Subhas Chandra Bose.
74.	12014/9/79-D.III (S&P)	Regarding whereabouts of Netaji Subhas Chandra Bose.
75.	13012/79.D.III (S&P)	Unstarred Question No.6626 for 11.4.1979 regarding Ashes of Netaji Subhas Chandra Bose. ✓ T.M.
76.	12014/4/80.IS.D.III	Representation regarding the whereabouts of Netaji.
77.	12014/5/80.IS.D.III	Regarding whereabouts of Netaji Subhas Chandra Bose.
78.	12014/6/80.IS.D.III	Arrangements to bring ashes of Netaji Subhas Chandra Bose to India.
79.	12014/2/81-IS.D.III	Regarding Netaji Subhas Chandra Bose-Misc. representation.
80.	12014/1/91-IS.D.III	Letter from Shri Baburao Paranjpai, M.P. (L.S.) address to P.M. regarding. Some point of Netaji Subhas Chandra Bose.
81.	-	Netaji Commission Report.

LIST OF CLASSIFIED RECORDS *

Sl. No.	File No.	Subject
	F.14/1/81-T	Regarding ashes.
2	F.21/51/76-T	Regarding ashes.

* A view would have to be taken regarding declassification/claim of privilege with regard to these 2 files by the Government.



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NEW DELHI INDIA
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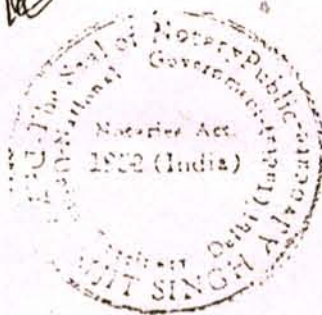
LIST OF INDEX TYPED AND MISC. PAPERS RELATING TO NETAJI INQUIRY COMMISSION.

- ✓1. Revolution - What Is It ? Published by the Indian Independence League - Editor - Narayana Menon, Rangoon.
- ✓2. File No.251/I.N.A (The Penang Propaganda School). ✓
- ✓3. The Indian National Army Second front of the Indian Independence movement. K.K. Ghosh M.A. Ph.D.
- ✓4. Extract Secret file No.74/I.N.A-No.28000/6/GSI(6)(111), A brief review of the so called 'Indian National Army'. ✓
- ✓5. File No.26/Misc./INA-A monthly illustrated Magazine on Indian Affairs in East Asia - on to Delhi Shanghai, China. ✓
- ✓6. Report by Counter Intelligence Corps, GID AFPAC on death of Subhas Chandra Bose, dated 29th Sep., 1945.
- ✓7. Comparative Statement showing the requisitioning and supply of various documents as ordered by the Commission from time to time with comments the office.
- ✓8. File No. 255/INA (5 folders) Report of Hikari Kidan. ✓
- ✓9. No. 335/INA Discourses of cultural and national subjects for the Indian National Army.
- ✓10. Netaji Inquiry Committee - Report from the Japanese Government.
- ✓11. No.332/INA-ID's and Don'ts for the officers and men of INA.
- ✓12. Statement by Dr.T.Tsuruta, Furukawa 172, Tsu City, Mis-Prefl, recorded on 15-5-56 at 10 A.M. at Tokyo. ✓
- ✓13. Second front of the Indian Independence Movement.
- ✓14. No. 273/ INA Subhas Chandra Bose- (Extracts bearing on his alleged death).
- ✓15. Netaji Inquiry Commission Visit to Malaysia. (Originally signed letter from High Commission of India, Kuala Lumpur to Shri D.K. Das, Secy.NIC)
- ✓16. Extract from Secret file No.471/1. ✓
- ✓17. Extract from Secret file No. 74/INA guide to GIPC. ✓
- ✓18. File No.164/INA Report on the Indian Independence Movement.
- ✓19. His struggle and martyrdom-Tatsuo Miyashida .
- ✓20. No. 20/Misc./I.N.A . 332/I.N.A.
- ✓21. File No. 164/I.N.A. Report on the Indian Independence Movement.
- ✓22. F. No. 25/Misc./INA - A concise Report on Event that took place in Malaya since 8th December, 1941 and Particularly relating to Indian Community.



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- ✓ 23. F.No.252/INA (2 folders) Nippon Guirillas and Gurkha Penang school for special Gurkha party.
- ✓ 24. 244/INA Rant of Jhansi Regt.(Five folders)
- ✓ 25. Re-interrogation of Capt. Habir-ur-Rehman.
- ✓ 26. File Cover No.291/INA-Magazines and Pamphamlets.
- ✓ 27. Complate F.No.1/Misc./INA-470/INA-How the first INA was born.
- ✓ 28. Netaji in Germany- N.G. Ganpuley.
- ✓ 29. 317/INA- Netaji's Message to Mahatma Gandhi.
- ✓ 30. Parch No. 23 Tarik 21-5-44.
31. No. 250/INA A note on relations between the Japanese and the I.N.A. dated 12th June, 1943.
- ✓ 32. No. 253/INA Bankok Conference Reports.
- ✓ 33. Chakravarti - No.4/23/70-NIC dated 22nd July, 1971. ✓
- ✓ 34. Trikha - Tentative itinerary of Commission's visit to Far Eastern Countries.
- ✓ 35. List of countries to be visited with dates and time at which the Session will start.
- ✓ 36. List of papers, files, Books etc. to be taken on tour to Far Eastern Countries.
- ✓ 37. Detailed Itinerary for visit to Rangoon, Kualalumpur, Singaporo, ✓
Penang, Bangkok, Saigon and Hongkong.
- ✓ 38. Evidence Tokyo - 30 371
- ✓ 39. D.O. No.3/11/71-NIC.
- ✓ 40. Commissioner's witness.
- ✓ 41. Narayana Karupplah.
- ✓ 42. Paper presented by John Jacob Singapore-1. ✓
- ✓ 43. Authority - G.D. Khosla.
- ✓ 44. NIC - Visit to Singapore - October 18 to 23, 1971
List of Witnesses - Programme.
- ✓ 45. List of witnesses in Penang. ✓

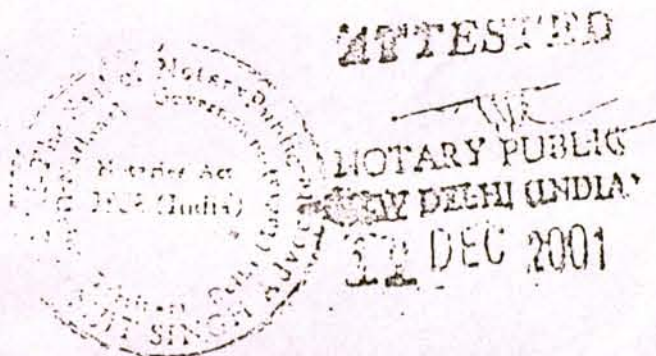


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NOTARY PUBLIC
NEW DELHI (INDIA)

79 DEC 2001

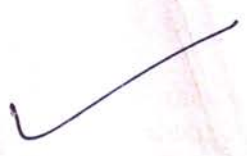
- ✓46. Papers relating to Grant of Pension to I.N.A. Personnel.
- ✓47. Press clippings from local english papers submitted for Ambassador's perusal.
- ✓48. F.No.17/Misc./I.N.A. - The landing of the Japanese Agents from a submarines on the Kathiawar Coast on the night of 22/23 Dec., 1943.
- ✓49. F.No.19/Misc./I.N.A. - Dutt Ram (Dulari Dube)- General Mission.
- ✓50. F.No.16/Misc./I.N.A. - Statement of H.L. Mehta. ✓
- ✓51. F.No.27/Misc./I.N.A. Chalo - Delhi for September, 1944.
- ✓52. 295/INA - Sardar Pritam Singh, B.S.D.
- ✓53. No.6/Misc./I.N.A. - Short History of subversive activities directed to Indian P.W. in Europe 1940-45.
- ✓54. No.243/I.N.A.- Order of Battle of the Indian Puppet forces in Burma.
- ✓55. F.No.245/INA Field Propaganda 'Unit' -Parchar Dal.
- ✓56. Sardar Pritam Singh B.S.D. No. 295/INA.
- ✓57. 250/INA Fill Party. --
- ✓58. No.6/Misc./INA Short history of subversive activities. - *same as S1-H-53*
- ✓59. No. 22/Misc./INA - A note on Puri Party.
- 60. Parch No. 21.5.44 — *same as S1-Nv-30*
- ✓61. 29/Misc./INA- Proclamation of the Provisional Government of Azad Hind.
- ✓62. Geyo Papers Exhibit No.9.



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UNITED STATES DEPARTMENT OF JUSTICE

TO THE HONORABLE ATTORNEY GENERAL
FROM THE DIRECTOR, FBI
SUBJECT: [Illegible]

[The following text is extremely faint and largely illegible due to the quality of the scan. It appears to be a memorandum or report detailing an investigation or administrative matter.]

BY FAX

(FAX No. 033-8371631)

No.I/12014/13/2000-IS(D.V)

Government of India
Ministry of Home Affairs

.....

148
New Delhi dt. 31/10.02

To

The Secretary
Justice Mukherjee Commission of Inquiry
Netaji Subhas Chandra Bose
'B' Block (3rd floor), 11/A Mirza Ghalib Street
Kolkatta 700087.

Sir,

I am directed to refer to your letter No.JMCI/Records/ND/99-2000/37(III)/394 dated 29/10/02 regarding records relating to Khosla Commission of Inquiry lying in this Ministry and to inform you that this Ministry have no objection if an officer of the Commission is deputed for perusal of these records.

The Commission may depute the officer as and when it is convenient.

Yours faithfully,


(M.S. ZUHA)
DESK OFFICER

please issue -
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31/10

am
31/10

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Fax : 0091-033-252-2765

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinsecb@cal.3.vsnl.net.in

REGISTERED WITH A/D.

No. JMCI/Meeting-Proceedings(Follow Up)/99-2000/
48(Vol.IV)/339.

Kolkata, dated, 24.9.02.

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

S i r,

I am directed to send herewith a xerox copy of the Commission's registered letter No.JMCI/Meeting-Proceedings (Follow Up)/48(III)/121 dated June 14, 2002 which speaks for itself.

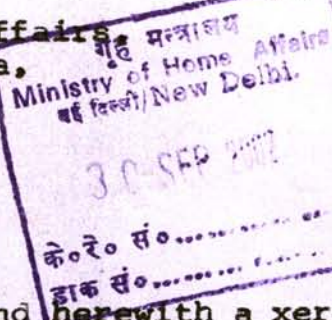
I am directed to request you once again to kindly send immediately authenticated true copies of F.No. 10/22/CF-68, F.No.6/5/9/77-CF, F.No.10/21/CF-68, F.No.6/1/6/74-CF, and F.No.6/5/1/91-TS which have been sent by the Cabinet Secretariat to the Ministry of Home Affairs as stated in the letter No.281/12/1/2000-TS dated September 19, 2001 of the Cabinet Secretariat addressed to the Secretary of the Commission, a xerox copy of which was sent to you with the Commission's aforesaid letter dated June 14, 2002.

Enclosure: As stated above.

Yours faithfully,

(P. K. Sengupta)
Secretary

Reply under submission.
18/9



Meeting-Proceedings(Follow-Up)
/48(III)/121.

14th June*2002.

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

S i r,

I am directed to refer to Commission's letter No.JMCI/Meeting-Proceedings (Follow Up)/48(III)/356 dated October 9, 2001 (copy enclosed) sent to you by Registered post with A/D, which appears to have been received by your office on October 24, 2001 and to request you to kindly send immediately authenticated true copies of the papers/documents concerning Serial Nos.(ii), (iii), (iv), (v) and (vi) of para-1 of the letter No. 281/12/1/2000-TS dated September 19, 2001 of the Cabinet Secretariat, Government of India, addressed to the Commission (copy enclosed) which were called for by the aforesaid letter dated October 9, 2001 of the Commission.

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Enclosures: As stated above.

Yours faithfully,

(P. K. Sengupta)
Secretary

365/ISV/02
10/10/02

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Fax : 0091-033-252-2765

152

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinscb@cal.3.vsnl.net.in

No. JMCI/Records/99-2000/37(III)/362

Kolkata, dated, Oct '04, 2002

Dear Sirgajin,

I am to request you to kindly refer to the affidavit sworn by your predecessor-in-office Sm. Sangeeta Gairola in the matter of compliance with the orders of the Commission as passed in its proceeding dated October 17, 2001 held at New Delhi and to inform you that I shall be going to your office on 7.10.02 in order to make a preliminary examination of the files/documents/records mentioned in Annexure 'A' and Schedule - II to the said affidavit. The Section Officer of the Commission in New Delhi Sri S.N.Singh will help me in this work.

I am, therefore, to request you to kindly ask the concerned officer and staff to extend all necessary help and assistance to me and Sri Singh to enable us to see the files/documents/records as mentioned above.

With warm regards,

Yours sincerely,
P.K. Sengupta
(P.K. Sengupta)
Secretary

Drop/s 1
1600/Dir(15-II) on
10/10

To
Sri Akhil Jain
Joint Secretary (IS)
Ministry of Home Affairs
Government of India, North Block
New Delhi-110001.

No. JMCI/Records/99-2000/37(III)/362/1
dt. 4.10.02.

Copy forwarded to Sri S.N.Singh, Section Officer, (Branch Office Delhi) for information and necessary action.

(P.K. Sengupta)
Secretary

DIR(15-II)

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8/10

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8258/JS (1572)
15/11

GOVERNMENT OF INDIA
CABINET SECRETARIAT
RASHTRAPATI BHAVAN

No. 281/12/1/2000-TS

New Delhi, dated the November 13, 2002.

To,

Shri P.K. Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block, (Third Floor),
11/A, Mirza Ghalib Street,
Kolkata.

Subject:- Documents relating to investigation into the circumstance leading to the death of Netaji Subhas Chandra Bose.

Sir,

I am directed to refer to Justice Mukherjee Commission of Inquiry letter No. JMCI/Records/N.Delhi/99-2000/37(III)/374 dated 10th October, 2002, addressed to the Secretary, Cabinet Secretariat (Main), New Delhi, requesting to indicate the action taken on the Commissions letter Nos. JMCI/Meeting-pros (Follow up)/N.Delhi/48(Vol.III/266 & JMCI/Meeting-pros(Follow up)/N.Delhi/ 48(Vol.III/264 dated 20th August, 2002 addressed to the Secretary, Cabinet Secretariat, Bikaner House, New Delhi.

2. In their letters referred to above, the Commission had requested for the following documents:-

- 12014/6/92 ISD Jt. with Comm. *not*
- | | | | |
|----------|-------------------------|-------|---|
| i) | PMO F.No. 12(226)-56/PM | (i) | P. 56 M/O Rms |
| x ii) ✓ | F.No. 10/22/CF-68. | (ii) | " |
| x iii) ✓ | F.No. 6/5/9/77-CF. | (iii) | " |
| x iv) ✓ | F.No. 10/21/CF-68. | (iv) | Availability P.M. 29/48/62-Poll II not available. List available of his e. note |
| x v) ✓ | F.No. 6/1/6/74-CF. | (v) | 31/2/74-Auth. Dept with Comm. |
| x vi) ✓ | F.No. 6/5/1/91-TS. | (vi) | " |
- 31/2/74-Auth. Dept with Comm.*

3. Document at Sl. No. (i) above had already been sent to the Commission directly vide this Secretariat letter No. 281/12/2/99-Cab dated 28.8.2000. As regards the remaining documents, these were forwarded to Shri V.P. Bhatia, Under Secretary, MHA vide this Secretariat note of even number dated 10.11.2000 with a request to furnish these documents to the Commission. This position was communicated to the Commission vide our letter of even number dated 19.9.2001. Hence, no action is pending in respect of the Commission's letters referred to in para 1 above. However, a copy of this letter is being sent to MHA again with a request to send the documents [Sl. Nos. (ii) to (vi) mentioned at para 2 above] immediately if it is not already sent.

Yours faithfully,

sd/-

(Shatrughna Singh)
Director

Copy with a copy of the Commission's letter under reference is forwarded to **Shri A.K. Jain, Joint Secretary, Ministry of Home Affairs** with a request to furnish the copies of the documents to the Commission directly under intimation to this Secretariat. In this connection this Secretariat endorsement letter of even number dated 19.9.2001 and 18.9.2002 may please be referred to.

(Shatrughna Singh)
Director

BY REGISTERED POST WITH A/D.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail: jmcinsh@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

No. JMCW/ Records/N.Delhi/99-2000/37(III)/374, dated, October 10, 2002

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Cabinet Secretariat (Main),
Rashtrapati Bhavan,
New Delhi.

Sir,

I am directed to send herewith xerox copies of letters No.15/11/99-Pers.5.(New Pers.3)-15489-15490 dated September 12, 2001 and No.15/11/99-Pers. 5(New Pers.3)-9863 dated August 6, 2001 of Shri P.M. Heblikar, Joint Secretary (Pers.), Cabinet Secretariat, Bikaner House Annexe, addressed to Shri Sanjib Mishra, Joint Secretary, Cabinet Secretariat, Rashtrapati Bhavan, New Delhi and of Shri P.K. Mathur, Deputy Secretary (Pers.A) of Cabinet Secretariat, Bikaner House Annexe, addressed to Shri Binode Rai, Joint Secretary, Cabinet Secretariat (Main), Rashtrapati Bhavan, New Delhi, respectively which have been annexed to the affidavit dated September 2, 2002 sworn by Shri P.M. Hablikar, Joint Secretary, Cabinet Secretariat, Bikaner House Annexe, and filed before the Commission with letter No.15/11/99-pers.5(New Pers.3)-10786 dated September 2, 2002 of Shri P.K. Mathur, Deputy Secretary (Pers.) of the Cabinet Secretariat, Bikaner House Annexe, and to request you to kindly report immediately the action taken by the Cabinet Secretariat (Main), Rashtrapati Bhavan, on the aforesaid two letters of the Cabinet Secretariat Bikaner House Annexe.

3/C.S. I am further directed to request you to kindly report to the Commission immediately out of which Department/Ministry/Office the Cabinet Secretariat was formed or which Department/Ministry/Office of the Government of India, used to look after the works now being looked after by the Cabinet Secretariat, Rashtrapati Bhavan and the Cabinet Secretariat, at Bikaner House Annexe, Government of India.

Encl : As stated above.

Yours faithfully,
P.K. Sengupta
(P.K. Sengupta)

11/11/99 - 221 1155

(11) 1263

No. 15 11 99-Pers.5-(New Pers.3)-15489-15490
Cabinet Secretariat
Government of India

Room No. 7, Bikaner House Annexe,
Shahjahan Road, New Delhi, the'

12 SEP 2001

To,

Shri Sanjiv Mishra,
Joint Secretary,
Cabinet Secretariat,
Rashtrapati Bhawan,
New Delhi.

Sir,

I am directed to forward herewith the following communications received from Shri P.K.Sengupta, Secretary, Justice Mukherjee Commission of Inquiry, Kolkata requesting for papers documents on investigation into the circumstances leading to the death of Shri Subhash Chandra Bose :-

1. Letter No. JMCLMeeting-Proceedings (Follow up)48 (Vol.III)266 dated 20.8.2001 alongwith Xerox copy of the affidavit dated 27.7.2001 of Shri Jarnail Singh, Joint Secretary of Prime Minister's office.
2. Letter No. JMCLMeeting-Proceedings(Follow-up)48 (Vol.III)-264 dated 20.8.2001 requesting for authenticated true copies of files/documents.

2. This organisation has no records relating to the events as the organisation itself was formed only on September 21, 1968. The references/file Nos. quoted at Sl. No. 2 of letter referred to above also does not pertain to R&AW.

original
nd p 2089c

3. It is requested that the communications may please be forwarded to the concerned department, if not belonging to Cabinet Secretariat (Main).

Yours faithfully,

(P.M.HIEBLIKAR)
JOINT SECRETARY(PERS)

c/r

Copy to :

Shri P.K.Sengupta, Secretary, Justice Mukherjee Commission of Inquiry, "B" Block (Third Floor), 11A Mirza Ghalib Street, Kolkata - 700087 - for information. In this connection our earlier communication of even number dated 31.10.2000 may also please be referred to.

JOINT SECRETARY(PERS)

97c

11/11/99
Cabinet Secretariat
Government of India
New Delhi

Annexure IV - 225- (156)

21 (19)
264

MOST IMMEDIATE

No. 15-11-99-Pers.5(New Pers.3) - 9863
Government of India
Cabinet Secretariat

Room No. 7, Bikaner House Annexe,
Shahjahan Road, New Delhi. the

06 AUG 2001

Shri Vinod Rai,
Joint Secretary,
Cabinet Secretariat (Main)
Rashtrapati Bhawan,
New Delhi.

p263/c

I am directed to refer to our letter of even number dated 12.9.2001 (copy enclosure attached) forwarding therewith the following communications received Shri P.K.Sengupta, Secretary, Justice Mukherjee Commission of Inquiry, Kolkata stating for papers/documents on investigation into the circumstances leading to the disappearance of Netaji Subhash Chandra Bose :-

- (i) Letter No. JMCS/Meeting-proceedings(Follow-up)/48(Vol-III)/266 dated 20.8.2001 alongwith Xerox copy of the affidavit dated 27.7.2001 of Shri Jarnail Singh, Joint Secretary of Prime Minister's Office and requesting for papers/documents on "investigation into the circumstances leading to the death of Shri Subhash Chandra Bose" pertaining to PMO's File No. 12(226)-56-PMI.
- (ii) Letter No. JMCS/Meeting-Proceedings(Follow-up)/48(Vol-III)-264 dated 20.8.2001 requesting for authenticated true copies of File Nos. 10/22/CF-68, 6/5/9/77-CF, 10/21/CF-68, 6/1/6/74-CF and F.No. 6/5/1/91-ST.

original at
p2116/c

I am further to request that action on directions contained in the above said communications of the Inquiry Commission may please be taken and documents/files as and may please be provided to the Inquiry Commission, if not already done. The regarding the action taken on our letter dated 12.9.2001 may also please be I to us.

Yours faithfully,

2

(P.K.MATHUR)
DEPUTY SECRETARY(PERS.A)

92

Handwritten notes and stamps in the bottom left corner, including "15-11-99" and "2001".

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BY FAX
(FAX No. 033- 8371631)

No.I/12014/13/2000-IS(D.V)
Government of India
Ministry of Home Affairs
.....

New Delhi dated 21.03 .

To

3 JAN 2003

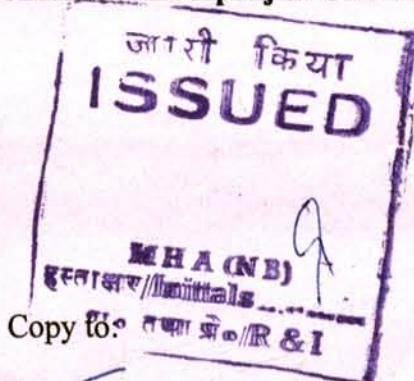
The Secretary
Justice Mukherjee Commission of Inquiry
Netaji Subhas Chandra Bose
'B' Block (3rd floor), 11/A Mirza Ghalib Street
Kolkatta 700087.

Sir,

I am directed to refer to Cabinet Secretariat's endorsement No.281/12/1/2000-TS dated 13/11/2002 addressed to Secretary Justice Mukherjee Commission of Inquiry and copy to this Ministry regarding authenticated copies of documents mentioned at para 2 (ii) F.No. 10/22/CF-68, iii) F.No. 6/5/9/77-CF, iv) F.No. 10/21/CF-68 and to say that the Commission has already been apprised of the factual positions vide this Ministry's affidavit dated 27/2/01.

The Commission is once again kindly informed that the documents at para 2 (iii), 2(v) and (vi) are available in this Ministry's F.No.I/12014/9/77- D.III, F.No.I/12014/6/90-IS(D.III) and F.No.31/2/74-Poll D.III (2 Volumes) which have already been made available to the Commission on 20/12/2000 (copy enclosed) and in regard to para 2(iv) regarding the Cabinet decision dated 6.3.70 on the demand for fresh inquiry into alleged death of Netaji, it may be stated that the relevant file is not available, the contents of the Cabinet decision is enclosed which pertains to 18/2/70 and not 6/3/70.

As regard documents mentioned at para 2 (ii) regarding issue of commemorative stamps/coins of Netaji Subhas Chandra Bose on 21/10/1968 on the occasion of silver jubilee of the Azad Hind Government in fact originated from Ministry of Finance, D/o Economic Affairs and this Ministry has requested M/o Finance to communicate their views whether the said Cabinet Note can be declassified or has to be retained as classified. Since the reply is still awaited It will be appreciated if the Commission take up the issue direct with D/o Economic Affairs. **Miss Aprajita Chowdhury, Under Secretary(Coins), North Block, New Delhi.**



(U.K. KALRA)
DIRECTOR(IS-II)

- ✓ 1) Cabinet Secretariat (Sh.Rakesh Sarwal, Deputy Secretary, Rashtrapati Bhavan, New Delhi.
- 2) D/o Economic Affairs (Miss Aprajita Chowdhury, Under Secretary(Coins) North Block, New Delhi.

Received letter
Copy 2/1/03 (N.R. Ranjan)
P.P.S. to the Commission

158
158


Ministry of Home Affairs
IS(D.V)
.....

Subject: Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose. .

p. 248/cur -
vol. II -

Department of Economic Affairs may please refer to this Ministry's I.D.Note of even number dated 8th November, 2000 and subsequent reminder dated 24/11/2000 and 19/12/2000 regarding de-classification of Cabinet Note No.1/18/68-Coin dated 17/5/1968 on 'Issue of commemorative stamps/coins of Netaji Subhas Chandra Bose on 21/10/1968 on the occasion of the silver jubilee of the founding of the Azad Hind Government'.

Since this Note had originated from the Department of Economic Affairs it may please be confirmed whether the said Cabinet Note can be declassified. If so the above documents duly authenticated may be made available to to the Commission under intimation to this Ministry.


(U.K. KALRA)
DIRECTOR (IS-II)

Pl issue
MHA
29/12

Department of Economic Affairs (Miss Aprajita Chowdhury, Under Secretary (Coins), North Block, New Delhi.

MHA I.D.Note No.I-12014/13/2000-IS(D.V) dated 30.12.2002

Copy to:

The Secretary
Justice Mukherjee Commission of Inquiry
Netaji Subhas Chandra Bose
'B' Block (3rd floor), 11/A Mirza Ghalib Street
Kolkatta 700087.

Received.

Cap 2/1/03.

(N.K. Panigrahi
P.P.S to the Commission)

By Hand.

BY FAX
(FAX No. 033- 8371631)

No.I/12014/9/2002-~~IS~~(D.V)
Government of India
Ministry of Home Affairs
.....

New Delhi dated 31 .12.2002

To

The Secretary
Justice Mukherjee Commission of Inquiry
Netaji Subhas Chandra Bose
'B' Block (3rd floor), 11/A Mirza Ghalib Street
Kolkatta 700087.

Subject: Material with regard to Lok Sabha Starred Qn.Dy.No.3424 for
28/2/1974 raised by Shri Samar Guha.

Sir,

I am directed to refer to your letter No.JMCI/Records/N.Delhi/99-2000/37 dated 10/10/02 on the subject noted above and to say that the existing old records were rechecked and found that neither the Lok Sabha Starred Qn.Dy.No.3424 for 28/2/1974 was admitted nor any reply was given by the Govt.

However on checking of the list of the available files of Khosla Commission, it is found that a file No.6/6/74-NC containing documents relating to L.S.Unstd.Qn.Dy.No.3427 for 28/2/1974 raised by Shri Samar Guha reg. witnesses before Netaji Inquiry Commission is available and copies thereof are enclosed for information. As the instant Question was not admitted, hence reply of the Govt. on the above notice does not rise.


(U.K. KALRA)
DIRECTOR (IS-II)

*Received by
examiner of the documents
mentioned in the letter.
12/12/02
(U.K. PANJAI)
PPS to the Commission*

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinscb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

REGISTERED WITH A/D.

No. JMCI/ Stat.Rept./99-2000/33A/397.

Kolkata, dated, 8th November'02.

From : Shri M. Roy, IAS, (Retd.),
Officer on Special Duty

To : Shri Mukesh Mittal,
Deputy Secretary (IS-I),
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

Sub : Status Report from 01.10.3002
to 31.10.2002

Ref : Your Office letter No.I/12014/I/
2000-IS(D.III) dt. 07.02.2000.

S i r,

I am directed to forward herewith a 'Status
Report' of the Secretary of Justice Mukherjee
Commission of Inquiry, for necessary action at
your end.

Yours faithfully,

Encl : As stated above.

(M. Roy)
Officer on Special Duty

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14/11/02
413/IS(I)/2002
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20/11

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DO. (S. 8)
DIR (IS-II)
18/11
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161

Justice Mukherjee Commission of Inquiry
For Inquiry into the Alleged Disappearance of
Netaji Subhas Chandra Bose
'B' Block, (3rd Floor)
11/A, Mirza Ghalib Street, Kolkata-700 087.

STATUS REPORT
(From 01.10.2002 to 31.10.2002)

1. This Status Report is in continuation of the earlier Status Report forwarded under Commission's registered letter No. JMCI/Stat.Rept./99-2000/33A/361 dated 04.10.2002 to the Ministry of Home Affairs, Government of India.
- 2.(a) Shri Jitendra Desai, Managing Trustee, Navjeevan Trust, P.O. Navjeevan, Ahmedabad 331084 was requested by Commission's registered letter No. 311 dated 06.09.2002 to kindly check up his records to find out whether Mahatma Gandhi, after he had interviewed Col. Habibur Rahman in details in 1945, issued a Press statement that Netaji did not die in any air-crash on August 18, 1945 and if so, he was requested to kindly furnish the Commission with an authenticated true copy of the said Press statement. In reply, the said Trust has stated that they have found no such press statement in their records.
- (b) Xerox copies of Prime Minister Office's letter No. 915/11/C/2/2000-Pol. dated 11.07.2002 and the Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/132 dated 21.06.2002 were sent to the Joint Secretary (CNV), Ministry of External Affairs, Government of India, with Commission's registered letter No. JMCI/Records/N.Delhi/99-2000/37(III)/315 dated 06.09.2002 wherein he was requested to kindly send immediately a true copy of the entire note dated 30.09.1993 of Shri A.K. Sinha, Under Secretary, A.P. submitted to J.S., A.P. which is available in the Ministry of External Affairs, as stated in the aforesaid letter dated 11.07.2002 of the Prime Minister's Office. The response is still awaited.
- 3.(a) The attention of the Joint Secretary (CNV), Ministry of External Affairs, Government of India, was drawn by Commission's registered letter No. JMCI/Records/N.Delhi/99-2000/37(III)/316 dated 06.09.2002 to the Ministry of Home Affairs U.O. No. VI/11034/61/2002-IS (D.III) dated 19.07.2002 endorsed to the Joint Secretary (Co-ordination), Ministry of External Affairs, Government of India, wherewith a copy of this Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/113 dated 21.06.02

was forwarded and the Joint Secretary (CNV), Ministry of External Affairs, was requested to kindly furnish copies of the affidavit-in-Opposition filed and the judgment Order dated 04.03.1987 delivered by Hon'ble Mr. Justice Bhargava of Rajasthan High Court as referred to in them. It is learnt that the records called for could not yet to be procured by the Govt. of India.

(b)(i) By Commission's registered letter No. 310 dated 06.09.2002, the attention of the Secretary, Ministry of Home Affairs, Government of India was drawn to Commission's registered letter No. JMCI/Records/N.Delhi/99-2000/37(III)/201 dated 27.07.2002 and he was requested to report to the Commission immediately the details of action taken on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P., Lok Sabha addressed to the then President of India and the outcome thereof. The said letter of Shri Sondhi was sent by the Prime Minister's Office to the Ministry of Home Affairs under the former's U.O. No.2(64)/56-70-PM dated October 22, 1970 for such action as was considered appropriate. A copy of the said letter dated 15.10.1970 was also enclosed with the Commission's registered letter No. JMCI/Records/N.Delhi/99-2000/37(II)/608(2) dated March 14, 2002 sent earlier to the Ministry of Home Affairs in the matter. The report called for from the M.H.A. is still being awaited.

*No such paper
has been available
in this Ministry in the
affidavit has already been
on status Report
may get in touch with
the MHA/PMO to obtain
information in this regard.*

(b)(ii) By Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(III)/226(2) dated July 30, 2002 the reports were called for from the Ministry of External Affairs and the Prime Minister's Office regarding the action taken by them on the aforesaid letter dated 15.10.1970 of Shri M. L. Sondhi, M.P., Lok Sabha, addressed to the then President of ^{India} as mentioned in para 3(b)(i) herein before India. In reply the Prime Minister's Office has requested the Commission by their letter No. 915/11/C/2/2000-Pol. dated August 27, 2002 to approach the Ministry of Home Affairs and the Ministry of External Affairs in the matter. The report called for has not yet been received from the Ministry of External Affairs.

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(c) As advised by the Ministry of Home Affairs, Government of India, in their letter No. 12014/13/2000-IS(D.III) dated July 18, 2002, the Prime Minister's Office was requested in

Commission's registered letter No.JMCI/Records/N.Delhi/99-2000/37(III)/223 dated 30.7.2002 to kindly furnish the Commission as early as possible the documents or authenticated xerox copies thereof relevant to various contentions of the d.o. letter dated February 3, 1978 of Late R.C. Mazumder (renowned historian) addressed to the then Prime Minister of India and of the notes of Late Mazumder annexed with the aforesaid letter which appear at cor.pages 16 to 20 of the Prime Minister's Office's Secret File No. 2/64/78-PM. The Prime Minister's Office was again requested by Commission's registered letter No. 317 dated 06.09.02 to kindly send the documents called for in the aforesaid letter dated 30.07.02 of the Commission. The response of the P.M.O. in the matter is still awaited.

(d) The Secretary, Ministry of External Affairs, has been requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/225 dated July 30, 2002 to send the full text of the Radio speech as referred to in cor.page 153 of P.M.O.'s Secret File No. 2(64)/56-68-PM, the full particulars of the student in the name of Subhas Chandra who allegedly made the said radio broadcast and a true copy of the report sent by the Radio Moscow Authority in the matter. A xerox copy of the said cor.page 153 was enclosed with the said letter of the Commission. The Ministry of External Affairs has again been requested by Commission's registered letter No. 319 dated 06.09.02 to send the informations and the documents as solicited in the Commission's aforesaid letter dated 30.07.2002. Their response in the matter is still awaited.

4. With Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/372 dated October 10, 2002 addressed to the Secretary, Ministry of Home Affairs, Government of India, xerox copies of Prime Minister Office's letter No. 915/11/C/2/2000-Pol. dated 3rd/5th September, 2002 addressed to the Commission, P.M.O.'s U.O. No. PMS-307 dated 05.01.1974 send to Shri T.C. A. Nivasavardan, Additional Secretary, Ministry of Home Affairs, Government of India, and d.o. letter No. 24/27/71-Pol.II(D.III) dated May 3/4, 1974 of the Home Minister addressed to Samar Guha, M.P. were furnished and the Secretary, Ministry of Home Affairs was requested to kindly furnish to the Commission immediately

the details of documents which could be secured by the Government of India and supplied to the Khosla Commission as also the particulars of the documents which could not be secured by them because of their non-availability along with authenticated xerox copies of different affidavits of the Ministry of Home Affairs filed before the Khosla Commission in the matter and of the reply given by the Home Minister in the Lok Sabha on 27th March, 1974 as stated in the aforesaid d.o. letter dated 3/4 May, 1974 of the Home Minister addressed Shri Samar Guha, M.P. He was further requested to kindly send immediately an authenticated xerox copy of the reply, if any, given by the Ministry of Home Affairs to Shri Samar Guha as requested in para 4 in the aforesaid P.M.O.'s U.O. Note No. PMS-307 dated 05.01.1974. The reports/particulars/documents as called for from the Ministry of Home Affairs are awaited.

5. The Secretary, Prime Minister's Office has been requested by Commission's letter No. JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(III)/188 dated July 12, 2002 to furnish the Commission immediately with the documents mentioned against four Com. Nos., viz., com. 11, 30(R)(2), 30(S)(2), and 30(V)(I), since those documents do not appear to have been submitted to the Commission as yet which is supposed to be done by the Prime Minister's Office as mentioned in the 3rd para of the d.o. letter No. IV/8(66)/2001-2184 dated 12.12.2001 of Shri Sanjoy Sinha, Joint Director, IB, Government of India, addressed to the Secretary of the Commission, a xerox copy of which has been enclosed with the aforesaid letter dt. 12.07.2002 of the Commission. The documents called for are still awaited.

6. The Secretary, Ministry of Home Affairs, Government of India, has again been requested by Commission's registered letter No. JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(III)/121 dated June 14, 2002 to send immediately authenticated true copies of the papers/documents concerning Sl. Nos. (ii), (iii), (iv), (v), and (vi) of para 1 of the letter No. 281/12/1/2000-TS dated September 19, 2001 of the Cabinet Secretariat, Government of India, addressed to the Commission, which indicates that these papers/documents have been sent to the M.H.A. by the Cabinet Sectt. ~~Commission~~. A copy of the said letter of the Cabinet Secretariat has been enclosed with the Commission's aforesaid letter dated June 14, 2002.

The said records are still awaited.

7. Shri Sanjay Sinha, Joint Director, Intelligence Bureau, (M.H.A.), Government of India, has been requested by Commission's letter No. JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(III)/99 dated May 29, 2002 to offer his comments on the averments of Shri Sunil Gupta in his affidavit dated May 8, 2002 which is a rejoinder to the affidavit dated 11.12.2001 of Shri Sanjay Sinha. A copy of the affidavit of Shri Gupta has been enclosed with the aforesaid letter dated May 29, 2002 of the Commission. The matter was again referred to the said Joint Director by Commission's letter No. JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(IV)/384 dated October 22, 2002. The reply is still awaited.
8. Under Commission's Registered letter No. JMCI/Records/²N.Delhi/99-2000/37(III)/236(3) dated August 1, 2002, the Secretaries, Prime Minister's Office, Ministry of Home Affairs, and Ministry of External Affairs, Government of India have been furnished with xerox copies of the d.o. letter dated January 3, 1974 of Shri Samar Guha, M.P. addressed to Smt. Indira Gandhi, the then Prime Minister of India and of the reply thereto dated January 9, 1974 given by Smt. Indira Gandhi to Shri Samar Guha and they have been requested to kindly send immediately to the Commission authenticated true copies of all the documents, copies of which were lying in P.M.O.'s File No.12(226)/56-PM since destroyed, as also authenticated true copies of all those files which contain the said documents, the copies of which were lying in the said destroyed file as stated by the then Prime Minister in her aforesaid d.o. letter dated January 9, 1974. The said documents are yet to be received.
9. By Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(III)/199(2) dated 22.07.2002 the attention of the Secretaries, Ministry of Home Affairs and Prime Minister's Office was drawn to the Commission's letter No.603(2) dated 14.03.2002 and they were requested to kindly send to the Commission authenticated true copy of the answer of the Government to the Starred Lok Sabha Question DY. No. 3424 appearing at cor.page 132 of the P.M.O.'s Secret File No. 2(64)/56-70-PM-Vol.V as also of the Government's notes on the Supplementaries regarding the said Lok Sabha Question.

The enclosures to Prime Minister's Office letter No. 915/11/C/5/2001-Pol. dated August 2, 2002 disclose that the said Lok Sabha Question was replied by the Ministry of Home Affairs and that the Prime Minister's Office was not having any copy of the said reply. Resultantly, by Commission's letter No. 282 dated 26.08.2002 the Secretary, Ministry of Home Affairs was again requested to furnish a true copy of the answer to the said Lok Sabha Starred Question DY. No.3424 raised by Shri Samar Guha, M.P., Lok Sabha, during 1974 as called for by the Commission in its aforesaid letter dated 22.07.2002, as also the date of answering the said Question and the final No. of question corresponding to the Lok Sabha Starred Question Dy. No. 3424. The Ministry of Home Affairs in their letter No. I/12014/13/2000-IS(V) dated 24.10.2002 has stated inter alia that they have checked all the existing records and could trace nothing in the matter.

10. The Secretary, Ministry of Home Affairs, Government of India, has been requested by Commission's registered confidential letter No. JMCI/Records/2000-01/37(II)/533 dated January 28, 2002 to let the Commission know what was the outcome of the action, if any, taken on U.O. No.800/6/C/I/90-Pol. dated September 21, 1990 of the Prime Minister's Office addressed to Shri Naresh Chandra, the then Home Secretary, Government of India, wherewith a copy of the letter dated September 13, 1990 of Shri Amiya Nath Bose addressed to Shri V.P. Singh, the then Prime Minister of India and of the enclosure thereto which is a xerox copy of the news titled, "Fresh Clue on Netaji's Death" published in the "Times of India" (New Delhi) dated September 3, 1990 were sent to the Home Secretary, Government of India, for appropriate action. It has also been stated in the said letter dated 28.01.2002 of the Commission that the said letter dated September 13, 1990 of Shri Amiya Nath Bose with its enclosure and the said U.O. Note dated September 21, 1990 of the Prime Minister's Office are available in File No. 800/6/C/I/90-Pol. of the Prime Minister's Office, on the subject, "Netaji Subhas Bose- Bringing in the ashes of". A self-contained reminder has been sent to the Secretary, Ministry of Home Affairs by Registered Post with A/D vide Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(III)/195 dated July 22, 2002. The reply of the Ministry is still awaited.
11. By Commission's registered letter No. JMCI/DOC(FOR)/99-2000/56(IV)/193 dated July 19, 2002, the Secretary, Ministry of

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External Affairs has been furnished with a xerox copy of letter No. 915/11/C/2/2002-Pol. dated July 8, 2002 of the Director, Prime Minister's Office, Government of India, which is in reply to the Commission's letter No. JMCI/DOC(FOR)/99-2000/56(II)/123 dated June 17, 2002 and the Secretary, Ministry of External Affairs has been requested to kindly furnish answers immediately to the queries made in the aforesaid letter dated June 17, 2002 of the Commission, a copy of which has been enclosed with the Commission's letter dated June 19, 2002 referred to above. The queries are as noted below :

- (a) Whether the Prime Minister's Office possesses originals of the Netaji Subhas Chandra Bose's purported Messages dated December 26, 1945, January 1, 1946 and February, 1946, appearing at pages 21 and 22 of Prime Minister Office's Confidential File No. 870/11/P/16/92-Pol. on the subject, "Disappearance of Netaji Subhas Chandra Bose- p.p.s. reg." which, prime-facie, appear to have been broadcast after the alleged air-crash on August 18, 1945;
- (b) If so, what was/were the source/sources from which the original messages were obtained by the Prime Minister's Office;
- (c) If not, whether any inquiry was made by the Government of India, about the source and authenticity of those messages; and
- (d) What is the result of such inquiry ?

The Secretary, Ministry of External Affairs was again reminded by Commission's letter No. JMCI/DOC(FOR)/99-2000/56(IV)/349 dated 27.09.2002 sent to him by registered post. The report called for is still awaited.

12. By Commission's registered letter No. JMCI/Study (PMO)- Follow Up/2002-2003/84/257 dated August 14, 2002, read with its registered letter No. JMCI/DOC(FOR)/99-2000/56(IV)/348 dated 27.09.02, the Ministry of External Affairs, Government of India, has been requested to kindly send immediately a complete list of the names and addresses of all the Archives in Russia as also in other States which previously belonged to erstwhile USSR. We have received a list of

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9 (nine) archives in Russia from the Ministry of External Affairs, Government ^{of India} with their d.o. letter No.24/4/NGO-Pol. VIII dated October 21, 2002 but the complete list as called for is still awaited.

13. The Secretary, Ministry of External Affairs was requested by Commission's registered letters No.JMCI/DOC(FOR)/99-2000/56(IV)/232 dated August 1, 2002 and dated 27.09.2002 to kindly provide the Commission with the particulars of the US documents on Netaji Subhas Chandra Bose pertaining to the period from August, 1945 onwards, if any, which are available in the National Archives of the U.S.A. and Records Administration, Maryland, U.S. A. as also in other archives of the U.S.A. including Mac Arthy Archives, the Archives of the Princeton University, Hoover Institution, Stand Ford, U.S.A. etc. The response is still awaited.

MBR

14. With Commission's registered letter No.JMCI/Records/N.Delhi/99-2000/37(III)/374 dated October 10, 2002 addressed to the Secretary, Cabinet Secretariat (Main), Rashtrapati Bhavan, New Delhi, copies of letters No.15/11/99-Pers.V.(New Pers 3)-15489-15490 dated September 12, 2001 and No.15/11/99-Pers.5 (New Pers. 3)-9863 dated August 6, 2002 of Shri P.M. Heblikar, Joint Secretary (Pers), Cabinet Secretariat, Bikaner House Annexe, addressed to Shri Sanjib Mishra, Joint Secretary, Cabinet Secretariat, Rashtrapati Bhavan, New Delhi, and of Shri P.K. Mathur, Deputy Secretary (Pers) of Cabinet Sectt., Bikaner House Annexe, addressed to Shri Vinode Rai, Joint Secretary, Cabinet Sectt.(Main), Rashtrapati Bhavan, New Delhi, respectively, which have been annexed to the affidavit dated September 2, 2002 sworn by said Shri P.M. Heblikar, Joint Secretary and sent to the Commission with letter No.15/11/99-Pers. 5 (New Pers. 3) - 10786 dated September 2, 2002 of said Shri P.K. Mathur, Deputy Secretary (Pers), were furnished to the Secretary, Cabinet Sectt.(Main), Rashtrapati Bhavan, New Delhi, and he was requested to kindly report immediately the action taken by the Cabinet Sectt.(Main), Rashtrapati Bhavan, on the aforesaid two letters of the Cabinet Sectt., Bikaner House Annexe. He was further requested to kindly report to the Commission immediately, out of which Department/Ministry/Office, the Cabinet Sectt. was formed or which Department/Ministry/Office of the Government of

Cal. Sect.

India, used to look after the works now being looked after by the Cabinet Sectt., Rashtrapati Bhavan and the Cabinet Secretariat, Bikaner House Annexe, New Delhi. The reply is awaited.

15. By d.o. letter No. JMCI/Records/99-2000/37(III)/359 dated October 3, 2002 of the Secretary of the Commission addressed to the Secretary, Ministry of Information and Broadcasting, Government of India, the attention of the latter was drawn to a special message from Netaji Subhas Chandra Bose of the Provincial Government of Azad Hind (Singapore) broadcast on 31.42 Metres in 2115-25 hrs. daily "commentry in English" on August 18, 1945 which appears to have been monitored by the monitoring service of All India Radio, Simla, and presented to the National Archives of India by the Publication Division of the Ministry of Information and Broadcasting. A copy of the said message has been enclosed with the said d.o. letter dated October 3, 2002 for ready reference. The Secretary of the Ministry of Information and Broadcasting was requested to throw some light on the points whether the message was live and a direct broadcast or whether the broadcast was of a pre-recorded message/speech of Netaji. The response of the said Ministry in the matter is awaited.
16. By Commission's registered letter No. JMCI/Records/N.Delhi/99-2000/37(III)/235 dated August 1, 2002 the Secretary, Ministry of Home Affairs was requested to report to the Commission immediately what action was taken on the P.M.O.'s endorsement No. 870/11/P/10/93-Pol. dated 08.04.93 to the Home Secretary, New Delhi, wherewith copies of the letter dated March 22, 1993 of Dr. Shankar Dayal Sharma, the then President of India, along with a copy of the letter dated March 13, 1993, jointly authored by Shri Triguna Sen, Shri Amiya Kumar Mazumder, and Shri Aurobinda Nath Bose, some of the distinguished citizens of Calcutta, addressed to the President of India, were forwarded to the Home Secretary, New Delhi, for appropriate action, as also to report what was the outcome of the said action. The Secretary, Ministry of Home Affairs has stated inter alia in their letter No. I/12014/13/2000-IS(V) dated 24.10.2002 received by the Commission on 30.10.2002 that the matter was referred to the Ministry of External Affairs for appropriate action and requested the Commission to take up the matter with the Ministry of External Affairs. No copy of the said letter

dated 24.10.2002 appears to have been endorsed by the Ministry of Home Affairs to the Ministry of External Affairs.

17. The Hon'ble Chairman in his d.o. letter No.JMCI/DOC(FOR)/99-2000/56(Vol.II)/267 dated 21.08.2001 addressed to Shri Jaswant Singh, the then Hon'ble Minister of External Affairs, Government of India, stated, inter alia : "some of the deponents before the Commission have, in their affidavits and/or sworn testimonies, asserted that documents containing clinching evidence relating to the points of the inquiry are in the possession and/or under the control of the Governments of the U.K., the U.S.A., Russia and the other states forming the erstwhile USSR" and requested the Hon'ble Minister to kindly take up the matter with the Governments of the U.K., the U.S.A., Japan, Taiwan, Russia and the states which were within the erstwhile USSR and persuade them to make available to the Commission all records and documents, both open and classified, relating to Netaji Subhas Chandra Bose which may be in their possession and/or under their control as also to extend all help and facilities to the Commission to enable it to record evidence of witnesses, if any, available in their respective countries. In reply, Shri Jaswant Singh, the then Hon'ble Minister of External Affairs stated, inter alia, in his d.o. letter No. 25/4/NGO-Vol.VI dated 26.09.2001 : "The points raised in your letter under reference have been taken up with our Missions in the countries concerned. We would keep the Commission informed about the outcome of their efforts in this regard." As, thereafter positive response was received only to the extent that some Russian documents were sent through the Ministry of External Affairs and that the visit of the Commission to Japan could materialise, the Hon'ble Chairman decided, for expediting matters, to personally meet the Hon'ble Minister of External Affairs and apprise him of the urgency of the matter. Accordingly, the Hon'ble Chairman in his meeting with the Hon'ble Minister of External Affairs, Government of India, held on 28.10.2002 in New Delhi, pointed out, inter alia, that further cooperation of the Ministry of External Affairs in this regard was absolutely essential to facilitate proper and expedient functioning of the Commission.

P.K. Sengupta
(P.K. Sengupta)
Secretary

0 By Hand 171

No.VI/11034/61/2002-IS(D.V)
GOVT. OF INDIA
MINISTRY OF HOME AFFAIRS

.....

New Delhi, dated 2.1.03

To

Shri P.K. Sengupta
Secretary
Justice Mukherjee Commission of Inquiry
11/A Mirza Ghalib Street
Kolkata.

Sir,

I am directed to refer to your letter No.JMCI/Records/N.Delhi/99-2000/37(III)/452 dated 13/12/02 and to forward herewith an authenticated copy of Judgement Order dated 4/3/87 delivered by Hon'ble Mr. Justice S.N. Bhargava of Rajasthan High Court as desired.


(M.S. ZUHA)
DESK OFFICER

Received the documents mentioned in the letter

*Copy 2.1.03
(N.K. PANJA)
PPS to the Commission.*

1172

JUST : MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Fax : 0091-033-252-2765

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinscb@cal.3.vsnl.net.in

REGISTERED WITH A/D

No. JMCI/ Stat.Rept/99-2000/33A/453(6) Kolkata, dated, **December 9, 2002.**

From : Shri P.K. Sengupta
Secretary

To : The Secretary
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

25847

MSG

मुख्य मन्त्रालय Ministry of Home Affairs नई दिल्ली/New Delhi.
16 DEC 2002
क्र.सं. ७०.....
डाक सं.

Sub : Status Report from 01.11.2002
to 30.11.2002

IS.V
24/12

Sir,

Not Recd
IS/MS
18/12

I am directed to send herewith a 'Status Report' of Justice Mukherjee Commission of Inquiry from 01.11.2002 to 30.11.2002 with the request to send to the Commission within six (6) weeks the replies/reports in respect of the paras concerning your Ministry/Department/Offices, in the form of an affidavit, duly sworn by your authorised Officers not below the rank of Joint Secretary to the Government of India.

Yours faithfully,

P.K. Sengupta
(P.K. Sengupta)
Secretary

Encl : As stated above.

C

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Justice Mukherjee Commission of Inquiry
For Inquiry into the Alleged Disappearance of
Netaji Subhas Chandra Bose
'B' Block, (3rd floor)
11/A, Mirza Ghalib Street, Kolkata-700 087.

STATUS REPORT

(From 01.11.2002 to 30.11.2002)

1. This Status Report is in continuation of the earlier Status Report forwarded under Commission's Registered letter No. JMCI/Stat.Rept./99-2000/33A/397 dated November 8, 2002.
2. The Commission has been persistently asking the Ministry of Defence, Government of India, for their affidavit on extence/non-existence/availability/non-availability, etc. of the complete records of the proceedings of the trial of the I.N.A. personnel which is yet to be received.
3. Xerox copies of Prime Minister Office's letter No. 915/11/C/2/2000-Pol. dated 11.07.2002 and the Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/132 dated 21.06.2002 were sent to the Joint Secretary (CNV), Ministry of External Affairs, Government of India, with Commission's registered letter No. JMCI/Records/N.Delhi/99-2000/37(III)/315 dated 06.09.2002 wherein he was requested to kindly send immediately a true copy of the entire note dated 30.09.1993 of Shri A.K. Sinha, Under Secretary, A.P. submitted to J.S., A.P. which is available in the Ministry of External Affairs, as stated in the aforesaid letter dated 11.07.2002 of the Prime Minister's Office. The response is still awaited.
- 4.(a) The attention of the Joint Secretary (CNV), Ministry of External Affairs, Government of India, was drawn by Commission's registered letter No. JMCI/Records/N.Delhi/99-2000/37(III)/316 dated 06.09.2002 to the Ministry of Home Affairs U.O. No. VI/11034/61/2002-IS(D.III) dated 19.07.2002 endorsed to the Joint Secretary (Co-ordination), Ministry of External Affairs, Government of India, wherewith

contd....P.2.

A copy of the original order has already been made available to Com in 2/11/03 through Ch. Panja.

a copy of this Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(II)/113 dated 21.06.02 was forwarded and the Joint Secretary (CNV), Ministry of External Affairs, was requested to kindly furnish copies of the affidavit-in-Opposition filed and ~~with~~ the judgment Order dated 04.03.1987 delivered by Hon'ble Mr. Justice Bhargava of Rajasthan High Court as referred to in them. The Ministry of External Affairs with their letter No.25/4/NGO-Vol.VIII dated October 25, 2002 has sent to the Commission a copy of their U.O. No.25/4/NGO-Vol.VIII dated 26.07.2002 endorsed to the Ministry of Home Affairs wherefrom it appears that the Ministry of External Affairs has referred back the matter to the Ministry of Home Affairs. The Commission has not received the documents called for either from the Ministry of Home Affairs or from the Ministry of External Affairs as yet.

- (b)(i) By Commission's registered letter No.310 dated 06.09.2002, the attention of the Secretary, Ministry of Home Affairs, Government of India was drawn to Commission's registered letter No.JMCI/Records/N.Delhi/99-2000/37(III)/201 dated 27.07.2002 and he was requested to report to the Commission immediately the details of action taken on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P., Lok Sabha addressed to the then President of India and the outcome thereof. The said letter of Shri Sondhi was sent by the Prime Minister's Office to the Ministry of Home Affairs under the former's U.O. No.2(64)/56-70-PM dated October 22, 1970 for such action as was considered appropriate. A copy of the said letter dated 15.10.1970 was also enclosed with the Commission's registered letter No.JMCI/Records/N.Delhi/99-2000/37(II)/608(2) dated March 14, 2002 sent earlier to the Ministry of Home Affairs in the matter. The report called for from the M.H.A. is still being awaited.

- (b)(ii) By Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/226(2) dated July 30, 2002 the reports were called for from the Ministry of External Affairs and

MB/A

the Prime Minister's Office regarding the action taken by them on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P., Lok Sabha, addressed to the then President of India as mentioned in para 4(b)(i) hereinbefore. In reply, the Prime Minister's Office has requested the Commission by their letter No.915/11/C/2/2000-Pol. dated August 27, 2002 to approach the Ministry of Home Affairs and the Ministry of External Affairs in the matter. The report called for has not been received from the Ministry of External Affairs [] and also from the Ministry of Home Affairs as already stated in para 4(b)(i) []

- (c) Being advised by the Ministry of Home Affairs, Government of India, in their letter No.12014/13/2000-IS(D.III) dated July 18, 2002, the Prime Minister's Office was requested by Commission's registered letter No.JMCI/Records/N.Delhi/99-2000/37(III)/223 dated 30.07.2002 to kindly furnish to the Commission as early as possible the documents or authenticated xerox copies thereof relevant to various contentions of the d.o. letter dated February 3, 1978 of Late R.C. Mazumder (renowned historian) addressed to the then Prime Minister of India and of the notes of Late Mazumder annexed with his aforesaid letter which appear at cor.pages 16 to 20 of the Prime Minister's Office's Secret File No.2/64/78-PM. The Prime Minister's Office have since informed the Commission that the documents referred to by Late Mazumder are not available with them.

PMO

- (d) The Secretary, Ministry of External Affairs, has been requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/225 dated July 30, 2002 to send the full text of the Radio speech as referred to in cor.page 153 of P.M.O.'s Secret File No.2(64)/56-68-PM, the full particulars of the student in the name of Subhas Chandra who allegedly made the said radio broadcast and a true

MEK

copy of the report sent by the Radio Moscow Authority in the matter. A xerox copy of the said cor.page 153 was enclosed with the said letter of the Commission. The Ministry of External Affairs has again been requested by Commission's registered letter No.319 dated 06.09.02 to send the informations and the documents as solicited in the Commission's aforesaid letter dated 30.07.2002. Their response in the matter is still awaited.

5. With Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/372 dated October 10, 2002 addressed to the Secretary, Ministry of Home Affairs, Government of India, xerox copies of Prime Minister Office's letter No.915/11/C/2/2002-Pol. dated 3rd/5th September, 2002 addressed to the Commission, P.M.O.'s U.O. No.PMS-307 dated 05.01.1974 sent to Shri T.C.A. Nivasavardan, Additional Secretary, Ministry of Home Affairs, Government of India, and d.o. letter No.24/27/71-Pol.II(D.III) dated May 3/4, 1974 of the Home Minister addressed to Samar Guha, M.P. were enclosed and the Secretary, Ministry of Home Affairs was requested to kindly furnish to the Commission immediately the details of documents which could be secured by the Government of India and supplied to the Khosla Commission as also the particulars of the documents which could not be secured by them because of their non-availability along with authenticated xerox copies of different affidavits of the Ministry of Home Affairs filed before the Khosla Commission in the matter and of the reply given by the Home Minister in the Lok Sabha on 27th March, 1974 as stated in the aforesaid d.o. letter dated 3/4 May, 1974 of the Home Minister addressed to Shri Samar Guha, M.P. He was further requested to kindly send immediately an authenticated xerox copy of the reply, if any, given by the Ministry of Home Affairs to Shri Samar Guha as requested in para 4 of the aforesaid P.M.O.'s U.O. Note No.PMS-307 dated 05.01.1974. The reports/particulars/documents as called for from the Ministry of Home Affairs are still awaited.

MHA
Action is under
process.

6. The Secretary, Prime Minister's Office has been requested by Commission's letter No.JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(III)/188 dated July 12, 2002 to furnish the Commission immediately with the documents mentioned against four Com. Nos., viz., com. 11, 30(R)(2), 30(S)(2), and 30(V)(I), since those documents do not appear to have been submitted to the Commission as yet which is supposed to be done by the Prime Minister's Office as mentioned in the 3rd para of the d.o. letter No.IV/8(66)/2001-2184 dated 12.12.2001 of Shri Sanjoy Sinha, Joint Director, IB, Government of India, addressed to the Secretary of the Commission, a xerox copy of which has been enclosed with the aforesaid letter dated 12.07.2002 of the Commission. The documents called for are still awaited.

PMO

7. The Secretary, Ministry of Home Affairs, Government of India, has again been requested by Commission's registered letter No.JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(III)/121 dated June 14, 2002 to send immediately authenticated true copies of the papers/documents concerning Sl. Nos. (ii),(iii),(iv),(v), and (vi) of para 1 of the letter No.281/12/1/2000-TS dated September 19, 2001 of the Cabinet Secretariat, Government of India, addressed to the Commission which indicates that these papers/documents have been sent to the M.H.A. by the Cabinet Sectt. A copy of the said letter of the Cabinet Secretariat has been enclosed with the Commission's aforesaid letter dated June 14, 2002. The said records are still awaited.

JMCI has already been informed vide letter dt. 24/10/03 through Mr. Panja. An affidavit has also been filed.

8. Shri Sanjoy Sinha, Joint Director, Intelligence Bureau, (M.H.A.), Government of India, has been requested by Commission's letter No.JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(III)/99 dated May 29, 2002 to offer his comments on the averments of Shri Sunil Gupta in his affidavit dated May 8, 2002 which is a rejoinder to the affidavit dated 11.12.2001 of Shri Sanjoy Sinha. A copy of the affidavit of Shri Gupta has been enclosed with the aforesaid letter dated May 29, 2002 of the Commission. The matter was

1B

again referred to the said Joint Director by Commission's Regd. letter No. JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(IV)/384 dated October 22, 2002. The reply is still awaited.

9. Under Commission's registered letter No. JMCI/Records/N.Delhi/99-2000/37(III)/236(3) dated August 1, 2002, the Secretaries, Prime Minister's Office, Ministry of Home Affairs, and Ministry of External Affairs, Government of India, have been furnished with xerox copies of the d.o. letter dated January 3, 1974 of Shri Samar Guha, M.P. addressed to Smt. Indira Gandhi, the then Prime Minister of India and of the reply thereto dated January 9, 1974 given by Smt. Indira Gandhi to Shri Samar Guha and they have ~~kindly~~ been requested to kindly send immediately to the Commission authenticated true copies of all the documents, copies of which were lying in P.M.O.'s File No. 12(226)/56-PM since destroyed, as also authenticated true copies of all those files which contain the said documents, the copies of which were lying in the said destroyed file as stated by the then Prime Minister in her aforesaid d.o. letter dated January 9, 1974. The Ministry of External Affairs has stated in reply that "the documents in the letter (i.e. Commission's letter dated August 1, 2002) referred to above of the Commission belong to files of the Prime Minister's Office and, therefore, any reply in this matter can be given only by Prime Minister's Office." The said documents are yet to be received.

PM O.

10. The Secretary, Ministry of Home Affairs, Government of India, has been requested by Commission's registered confidential letter No. JMCI/Records/2000-01/37(II)/533 dated January 28, 2002 to let the Commission know what was the outcome of the action, if any, taken on U.O. No. 800/6/C/I/90-Pol. dated September 21, 1990 of the Prime Minister's Office addressed to Shri Naresh Chandra, the then Home Secretary, Government of India, wherewith a copy

The JMCI has already been intimated vide Para 5 of this Ministry's Status Report dt. 18/1/02.

of the letter dated September 13, 1990 of Shri Amiya Nath Bose addressed to Shri V.P. Singh, the then Prime Minister of India and of the enclosure thereto which is a xerox copy of the news titled, "Fresh Clue on Netaji's Death" published in the 'Times of India' (New Delhi) dated September 3, 1990 were sent to the Home Secretary, Government of India, for appropriate action. It has also been stated in the said letter dated 28.01.2002 of the Commission that the said letter dated September 13, 1990 of Shri Amiya Nath Bose with its enclosure and the said U.O. Note dated September 21, 1990 of the Prime Minister's Office are available in File No.800/6/C/I/90-Pol. of the Prime Minister's Office, on the subject, "Netaji Subhas Bose - Bringing in the ashes of". A self-contained reminder has been sent to the Secretary, Ministry of Home Affairs by Registered Post ~~vide~~ vide Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/195 dated July 22, 2002. The reply of the Ministry is still awaited.

- 11.(a) By Commission's registered letter No.JMCI/DOC(FOR)/99-2000/56(IV)/193 dated July 19, 2002, the Secretary, Ministry of External Affairs has been furnished with a xerox copy of letter No.915/11/C/2/2002-Pol. dated July 8, 2002 of the Director, Prime Minister's Office, Government of India, which is in reply to the Commission's letter No. JMCI/DOC(FOR)/99-2000/56(II)/123 dated June 17, 2002 and the Secretary, Ministry of External Affairs has been requested to kindly furnish answers immediately to the queries made in the aforesaid letter dated June 17, 2002 of the Commission, a copy of which has been enclosed with the Commission's letter dated July 19, 2002 referred to above. The queries are as noted below :

- (i) Whether the Prime Minister's Office possesses originals of the Netaji Subhas Chandra Bose's purported Messages dated December 26, 1945, January 1, 1946 and February, 1946, appearing at pages 21 and 22 of Prime Minister Office's

Confidential File No.870/11/P/16/92-Pol. on the subject, "Disappearance of Netaji Subhas Chandra Bose - p.p.s reg." which, prima-facie, appear to have been broadcast after the alleged air-crash on August 18, 1945;

- (ii) If so, what was/were the source/sources from which the original messages were obtained by the Prime Minister's Office;
- (iii) If not, whether any inquiry was made by the Government of India, about the source and authenticity of those messages; and
- (iv) What is the result of such inquiry ?

The Secretary, Ministry of External Affairs was again reminded by Commission's letter No.JMCI/DOC(FOR)/99-2000/56(IV)/349 dated 27.09.2002 sent to him by registered post. The report called for is still awaited.

- Mf 12B
- (b) By d.o. letter No.JMCI/Records/99-2000/37(III)/359 dated October 3, 2002 of the Secretary of the Commission addressed to the Secretary, Ministry of Information and Broadcasting, Government of India, the attention of the latter was drawn to a special message from Netaji Subhas Chandra Bose of the Provincial Government of Azad Hind (Singapore) broadcast on 31.42 Metres in 2115-25 hrs. daily "commentry in English" on August 18, 1945 which appears to have been monitored by the monitoring service of All India Radio, Simla, and presented to the National Archives of India by the Publication Division of the Ministry of Information and Broadcasting. A copy of the said message has been enclosed with the said d.o. letter dated October 3, 2002 for ready reference. The Secretary of the Ministry of Information and Broadcasting was requested to throw some light on the points whether the message was live and a direct broadcast or whether the broadcast was of a pre-recorded message/speech of Netaji. The response of the said Ministry in the matter is awaited.

12. By Commission's registered letter No. JMCI/Study(PMO)-
Follow Up/2002-2003/84/257 dated August 14, 2002, read
with its registered letter No. JMCI/DOC(FOR)/99-2000/56(IV)/
348 dated 27.09.02, the Ministry of External Affairs,
Government of India, has been requested to kindly send
immediately a complete list of the names and addresses
of all the Archives in Russia as also in other States
which previously belonged to erstwhile USSR. We have
received a list of 9 (nine) archives in Russia from the
Ministry of External Affairs, Government of India, with
their d.o. letter No. 24/4/NGO-Vol.-VIII dated October 21,
2002 but the complete list as called for is still awaited.

MBA

13. The Secretary, Ministry of External Affairs was requested
by Commission's registered letters ~~99-2000/56(IV)/348~~
~~99-2000/56(IV)/348~~ dated August 1, 2002 and dated
27.09.2002 to kindly provide the Commission with the
particulars of the US documents on Netaji Subhas Chandra
Bose pertaining to the period from August, 1945 onwards,
if any, which are available in the National Archives of
the U.S.A. and Records Administration, Maryland, U.S.A.
as also in other archives of the U.S.A. including Mac Arthy
Archives, the Archives of the Princeton University,
Hoover Institution, Stand Ford, U.S.A. etc. The response
is still awaited.

MBA

14. The letter No. 281/12/1/2000-TS dated November 13, 2002
of the Director, Cabinet Sectt., Rashtrapati Bhawan,
New Delhi, which is in reply to Commission's letter No.
JMCI/Records/N.Delhi/99-2000/37(III)/374 dated October 10,
2002 addressed to the Secretary, Cabinet Sectt., Rashtrapati
Bhawan, New Delhi, does not contain the information about
the Department/Ministry/Office, out of which ~~Department/~~
~~Ministry/Office~~ the Cabinet Sectt. was formed or about the
Department/Ministry/Office of the Government of India
which used to look after the works now being looked after

National Archives
Recd. recd
and will be made
available to the
Comm. in due course
Sent to the Commission
Material recd for
CAB. Sectt. vide P.B. 148/257
in sent to the JMCI
vide P 198/40

contd....P.10.

by the Cabinet Sectt., Rashtrapati Bhavan and the Cabinet Sectt., Bikaner House Annexe, New Delhi, as called for.

15. By Commission's registered letter No. JMCI/Records/N.Delhi/99-2000/37(III)/235 dated August 1, 2002 the Secretary, Ministry of Home Affairs was requested to report to the Commission immediately what action was taken on the P.M.O.'s endorsement No. 870/11/P/10/93-Pol. dated 08.04.93 to the Home Secretary, New Delhi, wherewith copies of the letter dated March 22, 1993 of Dr. Shankar Dayal Sharma, the then President of India, along with a copy of the letter dated March 13, 1993, jointly authored by Shri Triguna Sen, Shri Amiya Kumar Mazumder, and Shri Aurobinda Nath Bose, some of the distinguished citizens of Calcutta, addressed to the President of India, were forwarded to the Home Secretary, New Delhi, for appropriate action, as also to report what was the outcome of the said action. The ~~Commission~~ Ministry of Home Affairs have stated inter alia in their letter No. I/12014/13/2000-IS(V) dated 24.10.2002 received by the Commission on 30.10.2002 that the matter was referred to the Ministry of External Affairs for appropriate action. No report has yet been received in the matter from the Ministry of External Affairs, Government of India.

16. To expedite the matters, the Hon'ble Chairman went to Delhi on 28.10.2002 and met the Hon'ble Minister of External Affairs, Government of India. He requested the Hon'ble Minister to persuade the Government of the U.K. to declassify all relevant classified British documents and to take all steps in terms of the d.o. letter No. 25/4/NGO-Vol.VI dated 26.09.2001 of the then Hon'ble Minister of External Affairs. Apropos the said discussion, the Commission's letter No. 398 dated 11.11.2002 was sent by Speed Post to the Ministry of External Affairs, Government of India, with the request to take appropriate action in the matter. The Hon'ble Minister of External Affairs, Government of India, in his d.o. letter

contd...P.11.

Para 16
JMCI
Ref. made
in DPT

MBA

dated 13.11.2002 addressed to the Hon'ble Chairman has stated inter alia : ".....since the Commission feels that these papers (i.e. classified British records on Netaji Subhas Chandra Bose) could be of vital importance with reference to its mandate, we have again taken up the issue of their release with the British Government and would keep you informed of the outcome in this regard.

I would like to take this opportunity to reassure of all possible assistance from our side to facilitate the inquiry of the Commission."

Further development in the matter is awaited.

17. Notwithstanding the statement made by the then Prime Minister in the Lok Sabha on 28.08.1978 regarding availability of "further contemporary official documentary records", no such records could be traced out by the Government of India so far, as reported by them. The said reports received from the Government of India in the matter would be considered by the Hon'ble Chairman at the appropriate stage to express his views thereon.

PMD

18. The Hon'ble Chairman and the Secretary of the Commission visited Japan in the month of September, 2002 and could examine only one witness, viz., Dr. T. Yoshimi, in spite of publication of a notice about the sitting of the Commission in Japan, in a prominent English daily of Japan before the visit of the Commission to Japan. The Commission could interact with a number of local people at the Renkoji Temple in Tokyo who declined to depose before the Commission as witnesses. They, however, stated that they all believed that Netaji had died in the plane crash on 18th August, 1945 and that the ashes of Netaji were being preserved at the Renkoji Temple; but none of them could adduce any evidence in support of their said beliefs. The Commission could not visually examine the ashes kept in Renkoji Temple as the container thereof could not be opened by the authorities of the Renkoji Temple on that day for some practical difficulties. Since the Commission was leaving for Miyazaki

for info

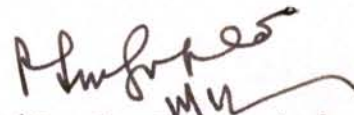
on that very day to examine Dr. T. Yoshimi, the Hon'ble Chairman addressed a letter to the Ambassador of India in Japan (who was away from Tokyo on that day) requesting him to get the ashes examined by a competent officer of the Embassy to ascertain whether there was any bone or fragments of bone in them justifying examination of the ashes by D.N.A. test. The report dated November 12/18, 2002 of the Indian Embassy in Japan and the photographs received by the Hon'ble Chairman on 28.11.2002 from the Indian Embassy in Japan show that the casket alleged to be containing the mortal remains of Netaji Subhas Chandra Bose appear to be having bone fragments, parts of the skull, some teeth, and a portion of the jaw.

19. Shri Nandalal Chakraborty, one of the deponents of the affidavit No.JMCI/11, in his letter dated 01.11.2002 addressed to the Secretary of the Commission, has requested the Commission to visit the USA, the UK, and Germany for reasons mentioned therein. A copy of the said letter has been sent to the Ministry of External Affairs, Government of India in continuation of the Commission's letter No.398 dated 11.11.2002, as referred to in para 16 hereinbefore, with the request to act accordingly.

20. Some handwritings allegedly of 'Gumnami Baba' were made over to the Government Examiner of Questioned Documents, Bureau of Police Research and Development, Ministry of Home Affairs, Government of India, Simla, on 02.09.2002 along with some admitted specimens of the handwritings of Netaji Subhas Chandra Bose for examination of the said questioned handwritings by comparing with the said admitted specimens of handwritings. The sealed report of the said Government Examiner has been collected and brought to the office of the Commission on 25.11.2002. Efforts are being made to get the aforesaid two sets of handwritings examined independently by two more competent handwriting experts, one after the other. It need be pointed out in this connection that it may take considerable time to get the same done.

21. The authenticated xerox copies of the relevant rules and procedures, which were in force at the time of destruction of different files/documents of the Government of India, as called for, could not be received from the ~~xxx~~ Prime Minister's Office in spite of close persuasion by the Commission. Hence, it has been decided not to pursue the matter further.
22. To collect blood samples of persons on the paternal/maternal lineage of Netaji Subhas Chandra Bose for the purpose of D.N.A. tests of the relevant specimens out of the articles seized from the house in Faizabad, UP for establishing the identity of the subject to whom those specimens belonged, Sarbasree Nirupam Som, Subrata Bose, Pradip Bose, Sugata Bose, Chandra Kumar Bose, Surya Kumar Bose, Sadhan Kar and Smt. Chitra Ghose were requested by the Commission's letters dated 30.07.2002/03.10.2002/04.10.2002 to kindly cooperate with this Commission by communicating their willingness to donate their respective blood samples of one ml. each. While no response has yet been received from Sarbasree Chandra Kumar Bose, Sadhan Kar and Smt. Chitra Ghosh, Shri Nirupam Som and Shri Sugata Bose have questioned the efficacy of the proposed D.N.A. test in their respective replies to the Commission in the matter. Shri Surya Kumar Bose, who is now living in Germany, has expressed his willingness to donate the blood but has informed that he has no plan to visit India in near future. Shri Pradip Bose has replied that he has no objection to donate the blood in New Delhi as he will not be able to come to Kolkata in near future. Shri Subrata Bose in his letter dated November 28, 2002 which was received by the Commission at 3.45 P.M. on the same day, conveyed his willingness to donate blood sample for the proposed D.N.A. test on the specimens obtained from Faizabad, UP, "and for no other purpose". The Commission is still making efforts to collect the names and addresses of other eligible donors, if any, of Netaji's family.

23. Notice was sent to all deponents and others concerned regarding the hearing of the Commission on December 2, 2002 in the Annexe Building, Mahajati Sadan, Kolkata, and summons were issued to 7 (seven) persons for their examination as witnesses before the Commission on December 2, 2002.
24. The Secretary, Ministry of External Affairs, Government of India, was requested by the Commission's registered letter No. JMCI/CPDC/2000/432 dated November 27, 2002 to kindly persuade the Government of Japan to get from the Government of Taiwan the original Register of Cremation Permits for the period from 18.08.1945 to 21.08.1945, the original application for Cremation Permit allegedly filed on 18.05.1945 in the name of Chandra Bose or Subhas Chandra Bose, the original application for Cremation Permit, if any, filed on 18.08.1945 or 19.08.1945 in the name of Ichiro Okura, the original Death Certificate allegedly issued in the name of Subhas Chandra Bose or Chandra Bose and the original Death Certificate, if any, in the name of Ichiro Okura since the Commission is essentially required to have an access to those documents in view of the facts and circumstances stated in the aforesaid letter dated November 27, 2002 of the Commission. A copy of the said letter along with copies of the enclosures thereto were also sent to the Joint Secretary (IS), Ministry of Home Affairs, Government of India, on November 27, 2002 by Registered Post.


(P. K. Sengupta)
Secretary



25/12/03
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MOST IMMEDIATE

मंत्रिमण्डल सचिवालय
राष्ट्रपति भवन, नई दिल्ली-110004
CABINET SECRETARIAT
RASHTRAPATI BHAVAN
NEW DELHI-110004

Dr. A.K. Dubey
Joint Secretary,
Tel: 23011791

D.O. NO.281/12/1/2000-TS

31st December, 2002

Dear Shri Goel,

Kindly refer to Justice Mukherjee Commission of Inquiry, Kolkata letter No. JMCI/Stat.Rept/99-2000/33A/453(6), dated 9/11th December, 2002 enclosing a copy of status report from 1.11.2002 to 30.11.2002 and requesting to send the replies/reports to the Commission within six weeks in the form of an affidavit duly sworn by an officer not below the rank of Joint Secretary to the Govt. of India.

2. Documents asked vide Para 7 of the report may please be forwarded to the Commission, if not sent already. As regards the information asked for vide para 14 of the report, the Commission may be informed that these are available in the website of Cabinet Secretariat (<http://cabsec.nic./origin.htm>). However, a hard copy of the same is sent herewith for onward transmission to the Commission.

With warm regards,

Yours sincerely,

A.K. Dubey
20/12/02
(A.K. Dubey)

Shri L.C. Goel
Joint Secretary,
Min. of Home Affairs,
New Delhi.

Encl: As above.

This has to go along with
letters being sent to
Omsh.

20/12/02



सत्यमेव जयते
ORIGIN | DEVELOPMENT | FUNCTIONS | CABINET SECRETARIES | A/B RULES 1961



Before the adoption of the portfolio system in the Government of India, all governmental business was disposed of by the Governor-General-in Council, the Council functioning as a joint consultative board. As the amount and complexity of business of the Government increased, the work of the various departments was distributed amongst the members of the Council only the more important cases being dealt with by the Governor-General or the Council collectively.

This procedure was legalised by the Councils Act of 1861 during the time of Lord Canning, leading to the introduction of the portfolio system and the inception of the Executive Council of the Governor-General. The Secretariat of the Executive Council was headed by the Private Secretary to the Viceroy, but he did not attend the Council meetings. Lord Willingdon first started the practice of having his Private Secretary by his side at these meetings. Later, this practice continued and in November, 1935, the Viceroy's Private Secretary was given the additional designation of Secretary to the Executive Council.

The constitution of the Interim Government in September 1946 brought a change in the name, though little in functions, of this Office. The Executive Council's Secretariat was then designated as Cabinet Secretariat. It seems, however, at least in retrospect, that Independence brought a sort of change in the functions of the Cabinet Secretariat. It no longer remained concerned with only the passive work of circulating papers to Ministers and Ministries but developed into an organisation for effecting coordination between the Ministries.

origin | develop | functions | cabinet secretaries | govt. of india (allocation of business) rules 1961

L189



Development

After independence, in 1949 an Economic Committee of the Cabinet was set up with its Secretariat at Ministry of Finance. In 1950 this was transferred to Cabinet Secretariat and designated as Economic Wing and ultimately merged with the Secretariat in 1955. In 1954, the Organisation and Methods Division was established under the Cabinet Secretariat which was later transferred to Ministry of Home Affairs during 1964.

In 1957, the Defence Committee of the Cabinet was constituted under Cabinet Secretariat for which officers were drawn from the Defence services. This wing was transferred during 1991 to the Ministry of Defence. Department of Statistics was created in 1961 under Cabinet Secretariat which was transferred to Ministry of Planning in Feb. 1973. Department of Special Economic Coordination was set up under Cabinet Secretariat in 1962 and later transferred to Ministry of Economic Defence Coordination and at present the Department is not existing. The Intelligence Wing was set up to provide secretarial assistance to the Joint Intelligence Committee in 1965.

The Bureau of Public Enterprises was brought under the Cabinet Secretariat for short duration from Jan. 1966 to June, 1966 and later transferred to Deptt. of Economic Affairs under Ministry of Finance and later during 1985 to the Deptt. of Public Enterprises under Ministry of Industry.

In June, 1970 three departments namely:

- 1) Department of Electronics
- 2) Department of Scientific and Industrial Research and
- 3) Department of Personnel

were created under Cabinet Secretariat and in July, 1970 Directorate General of Revenue Intelligence-cum-Directorate of Enforcement was set up under Deptt. of Cabinet Affairs under Cabinet Secretariat and later this directorate was shifted to Department of Personnel in August, 1970.

Department of Scientific and Industrial Research became independent department in May, 1971.

The Department of Electronics became independent department in 1971 and the Department of Personnel became independent. Department of Personnel and Administrative Reforms was transferred to the Ministry of Home Affairs from the Cabinet Secretariat. At present it is a part of Ministry of Personnel, Public Grievances and Pension with a bifurcation as Department of Personnel and training and Department of Administrative Reforms and Public Grievances.

Department of Ocean Development was created in July 1981 under Cabinet Secretariat and became independent department in Feb. 1982. The Directorate of Public Grievances was set up in the Cabinet Secretariat in March, 1988. This Directorate entertains grievances from the public.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835

Secretary - 252-2767

Officer on

Special Duty - 252-2765

Office - 252-2766/68

e-mail : jmcinsech@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

No. JMCI/Meeting-Proceeding(Follow Up)/
99-2000/48(IV)/478.7).

Kolkata, dated, 26th Dec.'02.

From : Shri M. Roy, IAS (Retd.),
Officer on Special Duty

- To :
- 1) Secretary,
Ministry of Home Affairs,
 - 2) Secretary,
Ministry of External Affairs,
 - 3) Secretary,
Prime Minister's Office,
 - 4) Secretary,
Cabinet Secretariat,
 - 5) Secretary,
Ministry of Defence,
 - 6) Director General of National Archives,
Government of India,
 - 7) Director,
Intelligence Bureau,
Government of India.



26 DEC 2002 R.

S i r,

I am directed to send herewith copies of the
Status Report as on 28.11.2002 and of the Proceedings
dated September 17, 2002, and December 2, 2002, of the
Commission for your kind information and favour of
taking necessary action.

Encl : As stated above.

Yours faithfully,

(M. Roy)

Officer on Special Duty

IS. IV
10/11/03
M. N.
18/11/03

Status Report as on 28.11.2002 showing action taken on/compliance with orders/directions including those contained in the proceedings dated 10.06.2002 read with the proceedings dated 23.03.2000, 13.06.2000, 31.08.2000, 28.09.2000, 23.11.2000, 21.12.2000, 17.01.2001, 04.04.2001, 13.06.2001, 17.10.2001, 20.12.2001 & 22.03.2002 of the Commission.

1. Xerox copies of the Commission's Status Report as on 06.06.2002 and of the proceedings dated June 10, 2002 and July 16, 2002 were sent to the Secretaries, Ministry of Home Affairs, Ministry of External Affairs, Prime Minister's Office, Cabinet Secretariat, Ministry of Defence, as also to the Director General, National Archives of India, and the Director, Intelligence Bureau, Government of India, under Commission's registered letter no. JMCI/Meeting-Proceedings (Follow up)/ 99-2000/48 (IV)/237 (T) dated 01.08.2002 for their information and taking necessary action at their end. The Commission's Status Report from 01.10.2002 to 31.10.2002 was sent to the Ministry of Home Affairs on 11.11.2002 by Registered Post for necessary action at their end.
V Recd
2. The Commission has been persistently asking the Ministry of Defence, Government of India, for their affidavit on existence/non-existence/availability/non-availability, etc. of the complete records of the proceedings of the trial of the INA personnel.
MOD
3. No counter-affidavit or affidavit-in-opposition was filed by Ministry of Home Affairs, Ministry of External Affairs, Prime Minister's office, Cabinet Secretariat, Ministry of Defence and Intelligence Bureau, Govt of India in respect of averments/contentions/allegations contained in the affidavits/supplementary affidavits of different deponents in spite of repeated reminders. Hence, they have been intimated by registered letter no 300 dated September 03, 2002 that because of the said default of the said Ministries/Departments/Offices of the Government of India, the Commission presumed that the formers did not want to file any counter-affidavits or affidavits-in-opposition as they had nothing with them to enable them to say anything contrary to or rebut on oath the averments and contentions contained in the aforesaid affidavits.
Do view A no further action is called for A
4. Xerox copies/authenticated copies of various files of the Government of India as received from time to time are being scrutinized and further references are being made to the Government of India to elicit further information/documents in appropriate cases.
No action
5. To expedite the matters, the Hon'ble Chairman went to Delhi on 28.10.2002 and met the Hon'ble Minister of External Affairs, Government of India. He requested the Hon'ble Minister to persuade the Government of the U.K. to declassify all relevant classified British documents and to take all steps in terms of the d.o. letter No. 25/4/NGO-Vol.VI dated 26.09.2001 of the then Hon'ble Minister of External Affairs. Apropos the said discussion, the Commission's letter No 398 dated 11.11.2002 was sent by Speed Post to the Ministry of External Affairs, Government of India, with the request to take appropriate action in the matter. The Hon'ble Minister of External Affairs, Government of India, in his d.o. letter dated 13.11.2002 addressed to the Hon'ble chairman has stated inter alia : "..... since the Commission feels that these papers (i.e. classified British records on Netaji Subhas Chandra Bose) could be of vital importance with reference to its mandate, we have again
MEA

taken up the issue of their release with the British Government and would keep you informed of the outcome in this regard.

— I would like to take this opportunity to reassure of all possible assistance from our side to facilitate the inquiry of the Commission."

— Further development in the matter is awaited.

6. Notwithstanding the statement made by the then Prime Minister in the Lok Sabha on 28.08.1978 regarding availability of "further contemporary official documentary records", no such records could be traced out by the Government of India, as reported by them. The reports given by the Ministry of External Affairs, Prime Minister's Office, the Ministry of Home Affairs, etc. in the matter would be considered by the Hon'ble Chairman at the appropriate stage to express his views thereon.

- 7(a) The Hon'ble Chairman and the Secretary of the Commission visited Japan in the month of September, 2002 and could examine only one witness, viz., Dr. T. Yoshimi, in spite of publication of a notice about the sitting of the Commission in Japan, in a prominent English daily of Japan before the visit of the Commission to Japan. The Commission could interact with a number of local people at the Renkoji Temple in Tokyo who declined to depose before the Commission as witnesses. They have, however, stated that they all believe that Netaji had died in the plane crash on 18th August, 1945 and that the ashes of Netaji are being preserved at the Renkoji Temple; but none of them could adduce any evidence in support of their said beliefs. The Commission could not visually examine the ashes kept in Renkoji Temple as the container thereof could not be opened by the authorities of the Renkoji Temple on that day for some practical difficulties. Since the Commission was leaving for Miyazaki on that very day to examine Dr. T. Yoshimi, the Hon'ble Chairman addressed a letter to the Ambassador of India in Japan (who was away from Tokyo on that day) requesting him to get the ashes examined by a competent officer of the Embassy to ascertain whether there is any bone or fragments of bone in them justifying examination of the ashes by D.N.A. test. The report dated November 12/18, 2002 of the Indian Embassy in Japan and the photographs received by the Hon'ble Chairman on 28.11.2002, shows that the casket alleged to be containing the mortal remains of Netaji Subhas Chandra Bose appear to be having bone fragments, parts of the skull, some teeth, and a portion of the jaw.

- 7(b) Shri Nandalal Chakraborty, one of the deponents of the affidavit no. JMCI/11, in his letter dated 01.11.2002 addressed to the Secretary of the Commission has requested the Commission to visit the USA, the UK, and Germany for reasons mentioned therein. Copy of the said letter has been sent to the Ministry of External Affairs, Government of India in continuation of the Commission's letter no. 398 dated 11.11.2002 to act accordingly.

8. The documents collected by the National Archives of India from the UK as per requisition of the Commission have been received and are being scrutinized by the Commission.

9. The Commission has received from the Ministry of External Affairs some papers in support of the contention of the Ministry of External Affairs that the name of Netaji Subhas Chandra Bose does not appear in the list of "War Criminals".

10. The Commission has been pursuing with the Ministry of External Affairs, Ministry of Home Affairs, Prime Minister's Office, Ministry of Information and Broadcasting, the Intelligence Bureau, etc., Government of India, for various files/documents/records/reports called for from them which are yet to be received by the Commission.

11. Some handwritings allegedly of "Gumnami Baba" were made over to the Government Examiner of Questioned Documents, Bureau of Police Research and Development, Ministry of Home Affairs, Government of India, Simla, on 02.09.2002 along with some admitted specimens of the handwritings of Netaji Subhas Chandra Bose for examination of the said questioned handwritings by comparing with the said admitted specimens of handwritings. The sealed report of the said Government Examiner has been collected and brought to the office of the Commission on 25.11.2002. Efforts are being made to get the aforesaid two sets of handwritings examined independently by two more eminent handwriting experts, one after the other. It may be pointed out in this connection that it will take considerable time to get the questioned handwritings, allegedly of Netaji Subhas Chandra Bose, verified with admitted specimens of his handwritings by 3 (three) eminent handwriting experts independently, one after the other.

12. The authenticated xerox copies of the relevant rules and procedures, which were in force at the time of destruction of different files/documents of the Government of India, as called for, could not be received from the Prime Minister's office in spite of close persuasion by the Commission. Hence, it has been decided not to pursue the matter further.

13. To collect blood samples of persons on the paternal/maternal lineage of Netaji Subhas Chandra Bose for the purpose of DNA tests of the relevant specimens out of the articles seized from the house in Faizabad, UP for establishing the identity of the subject to whom those specimens belonged, Sarbasree Nirupam Som, Subrata Bose, Pradip Bose, Sugata Bose, Chandra Kumar Bose, Surya Kumar Bose, Sadhan Kar and Smt. Chitra Ghose were requested by the Commission's letters dated 30.07.2002/ 03.10.2002/04.10.2002 to kindly cooperate with this Commission by communicating their willingness to donate their respective blood samples of one ml. each. While no response has yet been received from Sarbasree Subrata Bose, Chandra Kumar Bose, Sadhan Kar and Smt. Chitra Ghosh, Shri Nirupam Som and Shri Sugata Bose have questioned the efficacy of the proposed DNA test in their respective replies to the Commission in the matter. Shri Surya Kumar Bose, who is now living in Germany, has however expressed his willingness to donate the blood but has informed that he has no plan to visit India in near future. Shri Pradip Bose has replied that he has no objection to donate the blood in New Delhi as he will not be able to come to Kolkata in near future. The Commission is still making efforts to collect the names and addresses of other eligible donors, if any, of Netaji's family.

• Shri Subrata Bose in his letter dated November 28, 2002 which was received by the Commission at 3.45 PM on the same day, conveyed his willingness to donate blood sample for the proposed DNA test on the specimens obtained from Faizabad, UP. "and for no other purpose".

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JUSTICE M.K. MUKHERJEE COMMISSION OF INQUIRY

Proceedings dated September 17, 2002 (Seventeenth)
Held at Takajyocho, Miyazaki Prefecture, Japan

Present : Mr. Justice M. K. Mukherjee, Chairman

September 17, 2002

It is now 8.00 a.m. The sitting of the Commission for examination of the witness Dr. Taneyoshi Yoshimi commences.

Witness Dr. Taneyoshi Yoshimi is present in person. Other persons present are :-

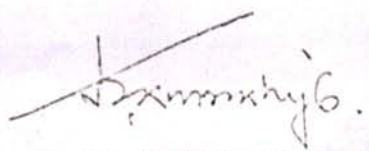
1. Sri P. K. Sengupta, Secretary of the Commission.
2. Ms. Navko Okruo, Interpreter.
3. Sri Subrata Bose, Deponent No. 27.
4. Dr. Madhusudhan Pal, Deponent No. 14.
5. Sri C. Rajsekher, First Secretary, Embassy of India in Japan.

Dr. Taneyoshi Yoshimi is examined on oath (administered through the Interpreter Ms. Navko Okruo in Japanese) by the Commission as CW no. 84. He is cross-examined by the Deponent no. 14 Dr. Madhusudhan Pal for himself and also for and on behalf of the Deponent no. 27 Sri Subrata Bose.

Per inf
The questions put to the witness in English have been interpreted into Japanese and his answers have been interpreted into English by the above Interpreter. The deposition of the witness, as interpreted by the Interpreter, has been recorded by Sri P. K. Sengupta, Secretary of the Commission, in my presence and under my direction. One document in Japanese script has been admitted in evidence and marked as Exhibit 112 without any objection.

Declaration of the Interpreter as to the correctness and truthfulness of the interpretation made by her is kept with the deposition as part of it.

Detected by me
M. K. Mukherjee


(M. K. Mukherjee)
Chairman

JUSTICE M.K. MUKHERJEE COMMISSION OF INQUIRY

Proceedings dated 2nd December, 2002 (Eighteenth)
held at Seminar Hall, Annexe Building, Mahajati Sadan,
166, Chittaranjan Avenue, Kolkata-700007

2.2002

Of the seven witnesses summoned today two witnesses, namely, Shri Subhas Ranjan Dasgupta and Shri Usha Ranjan Bhattacharyya are present. Four witnesses, Shri Sunil Krishna Gupta, Shri Surajit Dasgupta, Shri Bijoy Kumar Nag and Dr. Sushanta Kumar Mitra prayed for time and their prayers were allowed vide order dated 29.11.2002. Another witness, Smt. Krishna Bose, prayed for exemption from her personal appearance on the ground that she has got no personal knowledge about the alleged plane crash at Taihoku and death of Netaji Subhas Chandra Bose. She has been exempted.

Shri Subhas Ranjan Dasgupta and Shri Usha Ranjan Bhattacharyya have been examined as CW 85 and CW 86 respectively. Shri Subhas Ranjan Dasgupta in his examination has testified that the statements made in the affidavit and Supplementary Affidavit filed by him jointly with Shri Nirmal Sinha, Shri Satyabrata Tapadar and Shri Jayanta Chowdhury on 20th January, 2000 and 11th April, 2000 before the Commission are correct. He has identified his signatures on the affidavit and the Supplementary affidavit which have been marked Exhibits 96/2 and 97/2 respectively. His signature on another Supplementary affidavit filed by him jointly with Shri Satyabrata Tapadar on 19th January, 2002 has been marked Exhibit 98/2. He has asserted that this statement made in the affidavits filed by him on 7th May, 2002 and 31st October, 2002 are correct. These two affidavits have been marked Exhibits 113 and 114 respectively. His signatures on those two affidavits have been marked Exhibits 113/1 and 114/1 respectively. Two Newspapers : 'Netaji Azad Hind Gazette' dated 15th September, 1965 and pages 6 to 8 of the newspaper 'Rupantar' filed by Shri Dasgupta have been marked Exhibits 115 and 116 respectively.

For info

Shri Usha Ranjan Bhattacharyya (CW 86) has asserted that his statement in the affidavit filed by him on 3rd March, 2000 are correct. The said affidavit and his signature have been marked Exhibits 117 and 117/1 respectively. Two books titled 'Netaji-ke Lal-Kellai Hatya' and 'Netaji was murdered in Red Fort' authored by him have been marked Exhibits 118 and 119 respectively.

After examining the witnesses present, the parties and/or their lawyers present have been heard about the Status Report as on 28.11.2002 prepared by the Commission and circulated to all the parties present with particular reference to paragraphs 7(a) and 13 of the Status Report (which deal with the report dated 12/18.11.2002 of the Indian Embassy in Japan and photographs enclosed therewith indicating that the casket alleged to be containing the mortal remains of Netaji Subhas Chandra Bose appear to be having bone fragments, parts of the skull, some teeth and portion of the jaw; and collection of blood samples of persons on the paternal/maternal lineage of Netaji Subhas Chandra Bose for the purpose of DNA test respectively).

Shri Subrata Bose (JMCI/27/2000) prayed for time for discussions and hearing in respect of paragraph 7(a); and as regards paragraph 13 of the Status Report, he submitted that he would try to impress upon some of the descendants in the paternal and maternal lineage of Netaji Subhas Chandra Bose for donation of blood. Dr. Madhusudan Pal (JMCI/14/2000) and other deponents also prayed for some time for discussion on paragraph 7 (a) of the Status Report. The prayer has been allowed and consequently the proposed hearing tomorrow has been adjourned.

Next date of hearing will be notified later on.

Per inf...

(Signature)
(M. K. Mukherjee)
Chairman

REGD/A.D.288/JS(15703)
TGTGOVERNMENT OF INDIA
CABINET SECRETARIAT
RASHTRAPATI BHAVAN

No. 281/12/1/2000-TS

New Delhi, the January 9, 2003.

To,

Shri M. Roy,
O.S.D.,
Justice Mukherjee Commission of Inquiry,
'B' Block, (Third Floor),
11/A, Mirza Ghalib Street,
Kolkata.Subject:- Documents relating to investigation into the circumstances leading to
the death of Netaji Subhas Chandra Bose.
.....*Sir,*Kindly refer to your letter No. JMCI/Records/ND/99-2000/37(III)/2 dated 1st
January, 2003, requesting information about the origin of Cabinet Secretariat.2. In this connection this Secretariat endorsement letter of even number dated
13.11.2002, addressed to Shri P.K. Sengupta, Secretary to Justice Mukherjee
Commission of Inquiry may please be referred to. Necessary information has been
forwarded to Ministry of Home Affairs for onward transmission to the Commission vide
the letter referred to above.*Yours faithfully,*

sd/-

(Shatrughna Singh)
Director✓ Copy to Shri L.C. Goel, Joint Secretary, Ministry of Home Affairs with a
request to furnish the requisite information to the Commission, if already not sent.SH
(Shatrughna Singh)
Directorx
1071
Am (15/12)

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BY FAX
(FAX No. 033- 8371631)

No.I/12014/13/2000-IS(D.V)
Government of India
Ministry of Home Affairs

.....

New Delhi dt. 1.03

To

The Secretary
Justice Mukherjee Commission of Inquiry
Netaji Subhas Chandra Bose
'B' Block (3rd floor), 11/A Mirza Ghalib Street
Kolkatta 700087.

(Attn: Sh.M. Roy, OSD)

Subject: Documents relating to investigation into the circumstances relating to the death of Netaji Subhas Chandra Bose.

Sir,

I am directed to refer to your letter No. JMCI/Stat. Rept/99-2000/33A/453 (6) dated 9.12.02 enclosing therewith a copy of status report from 1.11.2002 to 30.11.2002, the Cabinet Secretariat vide their d.o.No.281/12/1/2000-TS dated 31.12.02 has furnished a hard copy regarding the origin of Cabinet Secretariat as asked for vide para 14 of the status report referred to above. A copy thereof is enclosed herewith for your information.

In regard to status report for the month of October, 2002, Parawise reply concerning Ministry of Home Affairs with reference to the issues indicated therein is as follows:-

Para 3(a) An authenticated copy of the Judgement Order dated 4.3.1987 delivered by the Hon'ble Mr. Justice Bhargava of Rajasthan High Court has already been handed over to Shri N.K. Panja, PPS to the Chairman, JMCI on 2/1/03. Perusal of the Judgement Order reveals that no counter affidavit was filed by the G/o India, despite repeated direction to Govt. Council resulted the instant order as an ex-parte decision. Hence no copy of affidavit in opposition could be made available to the Commission.

Para 3(b)(i) The JMCI has already been apprised the factual position vide para 12 of this Ministry's Status Report dated 18.7.02 inter-alia that no such papers have become available in this Ministry and Hon'ble Commission may get in touch with MEA/PMO to obtain information in this regard.

Para 4 The Ministry's relevant file No.24/27/71-{Poll-II is not readily traceable and the Commission will be informed the factual position in due course.

Para 6 In this regard the Commission has already been apprised vide this office letter of even No. dated 2/1/03 sent through Shri Panja, PPS to Chairman JMCI.

1199

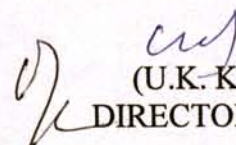
Para 9 A suitable reply alongwith copy of documents relating to Lok Sabha Unstd. Qn. Dy No.3427 for 28.2/74 has already been communicated through Shri Panja PPS to Chairman JMCI on 2/1/03.

Para 10 The JMCI has already been intimated vide Para 5 of this Ministry Status Report dated 18.7.02 inter-alia that no specific action was called for on this receipt and the letter was taken on record. It will be appreciated if this issues may not be raised again.

Para 16 The JMCI is once again informed that copies of the letter dated 22.3.1993 of Dr.Shankar Dayal Sharma the then President of India alongwith a copy of letter dated 13.3.93 jointly written by Shri Triguna Sen, Sh.Amiya Kumar Majumdar were forwarded to MEA for appropriate necessary action vide this Ministry's letter No.I/12014/3/93-IS(D.III) dated 17th May,1993 (copy enclosed) for the necessary action at your end.

JMCI is once again requested that the issues or documents pertaining to this Ministry on which the factual position has been intimated may not be raised or insisted upon from time to time or shown as pending against this Ministry in the Status Report.

Yours faithfully,


(U.K. KALRA)
DIRECTOR (IS-II)

✓ Copy to: Cabinet Sectt., Sh.A.K. Dubey, Joint Secretary w.r.t to their d.o.letter No.281/12/1/2000-TS dated 31.12.02

Please issue
B
24/1/2003.

Recd
Jaxene
24/1/03



By registered
post with A/D.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

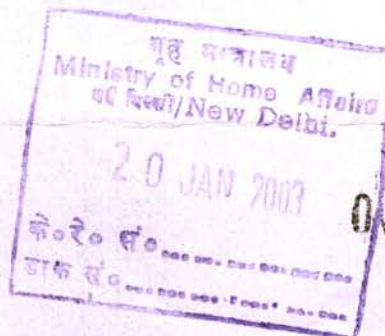
Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinscb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

No. JMCI/ Study(PM)Follow-Up/2002-03/84/509 Kolkata, dated, January 16, 2003

To
The Secretary
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.



Sir,

I am directed to refer to the reminder bearing
No. JMCI/Study(PMO)-Follow-Up/2002-03/84/335 dated 23.09.02
and to say that the report, originally called for vide this
Commission's letter No. JMCI/Study(PMO)-Follow-Up/2002-03/84/
135 dated 21.06.02, regarding the action taken by the
Ministry of Home Affairs as requested by the Prime Minister's
office in their endorsement No. 870/11/P/10/93-POL. dated
08.04.1993 marked to the Home Secretary, New Delhi, has not
yet been received.

I am, therefore, directed to request you to kindly
send the required report to the Commission as expeditiously
as possible.

Yours faithfully,

P. K. Sengupta
(P.K. Sengupta)
Secretary

Documents available in
F.NO. 12014/3/93-150111 (p.16/cor).
Put up in vol. III vide para 16 of p.19/150111.
SME has already
been informed vide p.198/cor. vol. III

Not in
F.N. 11

IS.V
22/1/07

M.N.
24/1

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2700/68

e-mail: jmcinseba cal.3.vsnl.net.in

Fax: 0091-033-252-2765

No. JMCW Stat.Rept./99-2000/33A/503 (7)

Kolkata, dated 13.01.2003.

From : Shri M. Roy, IAS (Retd.),
Officer on Special Duty

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi 110001.



001260-R.

Sub : Status Report from 01.12.2002
to 31.12.2002.

Ref : Your Office Letter No.I/12014/
I/2000-IS(D.III) dt.07.02.2000.

S i r,

I am directed to forward herewith a 'Status
Report' of the Secretary of Justice Mukherjee
Commission of Inquiry, ^{for purpose of taking} for necessary action at your
end.

Yours faithfully,

(M. Roy)

Encl : As stated above.

Officer on Special Duty

-202-

Justice Mukherjee Commission of Inquiry
For Inquiry into the Alleged Disappearance of
Netaji Subhas Chandra Bose
'B' Block, (3rd floor)
11/A, Mirza Ghalib Street, Kolkata-700 087.

STATUS REPORT

(From 01.12.2002 to 31.12.2002)

1. This Status Report is in continuation of the earlier Status Report forwarded under Commission's Registered letter No.JMCI/Stat.Rept./99-2000/33A/453(6) dated December 9/11, 2002 to the Secretaries, Ministry of Home Affairs, Ministry of Defence, Ministry of Information and Broadcasting, Prime Minister's Office, Ministry of External Affairs, and Cabinet Secretariat.
2. The Commission has been persistently asking the Ministry of Defence, Government of India, for their affidavit on existence/non-existence/availability/non-availability, etc. of the complete records of the proceedings of the trial of the I.N.A. personnel which is yet to be received.
3. Xerox copies of Prime Minister Office's letter No. 915/11/C/2/2000-Pol. dated 11.07.2002 and the Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(II)/132 dated 21.06.2002 were sent to the Joint Secretary (CNV), Ministry of External Affairs, Government of India, with Commission's registered letter No.JMCI/Records/N.Delhi/99-2000/37(III)/315 dated 06.09.2002 wherein he was requested to kindly send immediately a true copy of the entire note dated 30.09.1993 of Snri A.K. Sinha, Under Secretary, A.P. submitted to J.S., A.P. which is available in the Ministry of External Affairs, as stated in the aforesaid letter dated 11.07.2002 of the Prime Minister's Office. The documents called for is yet to be located by the Ministry of External Affairs, Government of India, and sent by them to the Commission.

contd...P.2.

4. With Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/372 dated October 10, 2002 addressed to the Secretary, Ministry of Home Affairs, Government of India, (xerox copies of Prime Minister Office's letter No.915/11/C/2/2002-Pol. dated 3rd/5th September, 2002 addressed to the Commission, P.M.O.'s U.O. No.PMS-307 dated 05.01.1974 sent to Shri T.C.A. Nivasavardan, Additional Secretary, Ministry of Home Affairs, Government of India, and d.o. letter No.24/27/71-Pol.II(D.III) dated May 3/4, 1974 of the Home Minister addressed to Samar Guha, M.P. were enclosed and the Secretary, Ministry of Home Affairs was requested to kindly furnish to the Commission immediately the details of documents which could be secured by the Government of India and supplied to the Khosla Commission as also the particulars of the documents which could not be secured by them because of their non-availability along with authenticated xerox copies of different affidavits of the Ministry of Home Affairs filed before the Khosla Commission in the matter and of the reply given by the Home Minister in the Lok Sabha on 27th March, 1974 as stated in the aforesaid d.o. letter dated 3/4 May, 1974 of the Home Minister addressed to Shri Samar Guha, M.P. He was further requested to kindly send immediately an authenticated xerox copy of the reply, if any, given by the Ministry of Home Affairs to Shri Samar Guha as requested in para 4 of the aforesaid P.M.O.'s U.O. Note No.PMS-307 dated 05.01.1974. The reports/particulars/documents as called for from the Ministry of Home Affairs are still awaited.)
5. The Secretary, Prime Minister's Office has been requested by Commission's letter No.JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(III)/188 dated July 12, 2002 to furnish the Commission immediately with the documents mentioned against four Com. Nos., viz., com. 11, 30(R)(2), 30(S)(2), and 30(V)(I), since those documents do not appear to have been submitted to the Commission as yet which is supposed to be done by the Prime Minister's Office as mentioned in the

3rd para of the d.o. letter No.IV/8(66)/2001-2184 dated 12.12.2001 of Shri Sanjoy Sinha, Joint Director, IB, Government of India, addressed to the Secretary of the Commission, a xerox copy of which has been enclosed with the aforesaid letter dated 12.07.2002 of the Commission. The documents called for are still awaited.

6. (The Secretary, Ministry of Home Affairs, Government of India, has again been requested by Commission's registered letter No.JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(III)/121 dated June 14, 2002 to send immediately authenticated true copies of the papers/documents concerning Sl. Nos. (ii),(iii),(iv),(v), and (vi) of para 1 of the letter No.281/12/1/2000-TS dated September 19, 2001 of the Cabinet Secretariat, Government of India, addressed to the Commission which indicates that those papers/documents have been sent to the M.H.A. by the Cabinet Sectt. A copy of the said letter of the Cabinet Sectt. has been enclosed with the Commission's aforesaid letter dated June 14, 2002. The said records are still awaited.)

To be discussed with Cab. Sectt.

7. Shri Sanjoy Sinha, Joint Director, Intelligence Bureau, (M.H.A.), Government of India, has been requested by Commission's letter No.JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(III)/99 dated May 29, 2002 to offer his comments on the averments of Shri Sunil Gupta in his affidavit dated May 8, 2002 which is a rejoinder to the affidavit dated 11.12.2001 of Shri Sanjoy Sinha. A copy of the affidavit of Shri Gupta has been enclosed with the aforesaid letter dated May 29, 2002 of the Commission. The matter was again referred to the said Joint Director by Commission's Registered letter No.JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(IV)/384 dated October 22, 2002. The reply is still awaited.
8. Under Commission's registered letter No.JMCI/Records/N.Delhi/99-2000/37(III)/236(3) dated August 1, 2002, the Secretaries, Prime Minister's Office, Ministry of Home Affairs,

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and Ministry of External Affairs, Government of India, have been furnished with xerox copies of the d.o. letter dated January 3, 1974 of Shri Samar Guha, M.P. addressed to Smt. Indira Gandhi, the then Prime Minister of India and of the reply thereto dated January 9, 1974 given by Smt. Indira Gandhi to Shri Samar Guha and they have been requested to kindly send immediately to the Commission authenticated true copies of all the documents, copies of which were lying in P.M.O.'s File No.12(226)/56-PM since destroyed, as also authenticated true copies of all those files which contain the said documents, the copies of which were lying in the said destroyed file as stated by the then Prime Minister in her aforesaid d.o. letter dated January 9, 1974. The Ministry of External Affairs has stated in reply that "the documents in the letter (i.e. Commission's letter dated August 1, 2002) referred to above of the Commission belong to files of the Prime Minister's Office and, therefore, any reply in the matter can be given only by Prime Minister's Office." The said documents are yet to be received.

PMO

9. The Secretary, Ministry of Home Affairs, Government of India, has been requested by Commission's registered confidential letter No.JMCI/Records/2000-01/37(II)/533 dated January 28, 2002 to let the Commission know what was the outcome of the action, if any, taken on U.O. No.800/6/C/I/90-Pol. dated September 21, 1990 of the Prime Minister's Office addressed to Shri Naresh Chandra, the then Home Secretary, Government of India, wherewith a copy of the letter dated September 13, 1990 of Shri Amiya Nath Bose addressed to Shri V.P. Singh, the then Prime Minister of India and of the enclosure thereto which is a xerox copy of the news titled, "Fresh Clue on Netaji's Death" published in the 'Times of India' (New Delhi) dated September 3, 1990 were sent to the Home Secretary, Government of India, for appropriate action. It has also been stated in the said letter dated 28.01.2002 of the Commission that the said letter dated September 13, 1990 of Shri Amiya Nath Bose with its enclosure and the said

Under process

It is to be noted from 5 of Shri's report 10/1/2002

U.O. Note dated September 21, 1990 of the Prime Minister's Office are available in File No.800/6/C/I/90-Pol. of the Prime Minister's Office, on the subject, "Netaji Subhas Bose - Bringing in the ashes of". A self-contained reminder has been sent to the Secretary, Ministry of Home Affairs by Registered Post vide Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/195 dated July 22, 2002. The reply of the Ministry is still awaited.

10. The attention of the Joint Secretary (CNV), Ministry of External Affairs, Government of India, was drawn by Commission's registered letter No.JMCI/Records/N.Delhi/99-2000/37(III)/316 dated 06.09.2002 to the Ministry of Home Affairs U.O. No.VI/11034/61/2002-IS(D.III) dated 19.07.2002 endorsed to the Joint Secretary (Co-ordination), Ministry of External Affairs, Government of India, wherewith a copy of this Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(II)/113 dated 21.06.02 was forwarded and the Joint Secretary (CNV), Ministry of External Affairs, was requested to kindly furnish copies of the affidavit-in-opposition filed and the Judgment Order dated 04.03.1987 delivered by Hon'ble Mr. Justice Bhargava of Rajasthan High Court as referred to in them. The Ministry of External Affairs with their letter No.25/4/NGO-Vol.VIII dated October 25, 2002 has sent to the Commission a copy of their U.O. No.25/4/NGO-Vol.VIII dated 26.07.2002 endorsed to the Ministry of Home Affairs wherefrom it appears that the Ministry of External Affairs has referred back the matter to the Ministry of Home Affairs. A copy of the said Judgment Order has since been received but no copy of the affidavit-in-opposition referred to above has yet been received.

- 11.(a) (By Commission's registered letter No.310 dt. 06.09.2002, the attention of the Secretary, Ministry of Home Affairs Government of India was drawn to Commission's registered letter No.JMCI/Records/N.Delhi/99-2000/37(III)/201 dated 27.07.2002 and he was requested to report to the Commission immediately the details of action taken on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P., Lok Sabha, addressed to the then President of India and the outcome thereof.

The said letter of Shri Sondhi was sent by the Prime Minister's Office to the Ministry of Home Affairs under the former's U.O. No.2(64)/56-70-PM dated October 22, 1970 for such action as was considered appropriate. A copy of the said letter dated 15.10.1970 was also enclosed with the Commission's registered letter No.JMCI/Records/N.Delhi/99-2000/37(II)/608(2) dated March 14, 2002 sent earlier to the Ministry of Home Affairs in the matter. The report called for from the M.H.A. is still being awaited.

(b) By Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/226(2) dated July 30, 2002 the reports were called for from the Ministry of External Affairs and the Prime Minister's Office regarding the action taken by them on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P., Lok Sabha, addressed to the then President of India as mentioned in para 11(a) hereinbefore. In reply, the Prime Minister's Office has requested the Commission by their letter No.915/11/C/2/2000-Pol. dated August 27, 2002 to approach the Ministry of Home Affairs and the Ministry of External Affairs in the matter. The report called for has not been received from the Ministry of External Affairs [and also from the Ministry of Home Affairs as already stated in para 11(a)].

12. By d.o. letter No.JMCI/Records/99-2000/37(III)/359 dated October 3, 2002 of the Secretary of the Commission addressed to the Secretary, Ministry of Information and Broadcasting, Government of India, the attention of the latter was drawn to a special message from Netaji Subhas Chandra Bose of the Provincial Government of Azad Hind (Singapore) broadcast on 31.42 Metres in 2115-25 hrs. daily "commentry in English" on August 18, 1945 which appears to have been monitored by the monitoring service of All India Radio, Simla, and presented to the National Archives of India by the Publication Division of the Ministry of Information and Broadcasting. A copy of the said message has been enclosed with the said d.o. letter dated October 3, 2002 for ready reference. The Secretary of the

Ministry of Information and Broadcasting was requested to throw some light on the points whether the message was live and a direct broadcast or whether the broadcast was of a pre-recorded message/speech of Netaji. The response of the said Ministry in the matter is still awaited.

- MBA
13. By Commission's registered letter No. JMCI/Study(PMO)-Follow Up/2002-2003/84/257 dated August 14, 2002, read with its registered letter No. JMCI/DOC(FOR)/99-2000/56(IV)/348 dated 27.09.02, the Ministry of External Affairs, Government of India, has been requested to kindly send immediately a complete list of the names and addresses of all the Archives in Russia as also in other States which previously belonged to erstwhile USSR. We have received a list of 9 (nine) archives in Russia from the Ministry of External Affairs, Government of India, with their d.o. letter No. 24/4/NGO-Vol. VIII dated October 21, 2002 but the complete list as called for is still awaited.

- MBA
14. The Secretary, Ministry of External Affairs was requested by Commission's registered letters dated August 1, 2002 and dated 27.09.2002 to kindly provide the Commission with the particulars of the US documents on Netaji Subhas Chandra Bose pertaining to the period from August, 1945 onwards, if any, which are available in the National Archives of the U.S.A. and Records Administration, Maryland, U.S.A. as also in other archives of the U.S.A. including Mac Arthy Archives, the Archives of the Princeton University, Hoover Institution, Stanford, U.S.A. etc. The response is still awaited.

- Under process
15. The letter No. 281/12/1/2000-TS dated November 13, 2002 of the Director, Cabinet Sectt., Rashtrapati Bhavan, New Delhi, which is in reply to Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(III)/374 dated October 10, 2002 addressed to the Secretary, Cabinet Sectt., Rashtrapati Bhavan, New Delhi, does not contain the information about the Department/Ministry/Office, out of which the Cabinet

Sectt. was formed or about the Department/Ministry/Office of the Government of India which used to look after the works now being looked after by the Cabinet Sectt., Rashtrapati Bhavan and the Cabinet Sectt., Bikaner House Annexe, New Delhi, as called for. The said information is still awaited from the Cabinet Sectt., Rashtrapati Bhavan, New Delhi. ✓

16. By Commission's registered letter No. JMCI/Records/N.Delhi/99-2000/37(III)/235 dated August 1, 2002 the Secretary, Ministry of Home Affairs was requested to report to the Commission immediately what action was taken on the P.M.O.'s endorsement No. 870/11/P/10/93-Pol. dated 08.04.93 to the Home Secretary, New Delhi, wherewith copies of the letter dated March 22, 1993 of Dr. Shankar Dayal Sharma, the then President of India, along with a copy of the letter dated March 13, 1993, jointly authored by Shri Triguna Sen, Shri Amiya Kumar Mazumder, and Shri Aurobinda Nath Bose, some of the distinguished citizens of Calcutta, addressed to the President of India, were forwarded to the Home Secretary, New Delhi, for appropriate action, as also to report what was the outcome of the said action. The Ministry of Home Affairs have stated inter alia in their letter No. I/12014/13/2000-IS(V) dated 24.10.2002 received by the Commission on 30.10.2002 that the matter was referred to the Ministry of External Affairs for appropriate action. No report has yet been received in the matter from the Ministry of External Affairs, Government of India.

17. To expedite the matters, the Hon'ble Chairman went to Delhi on 28.10.2002 and met the Hon'ble Minister of External Affairs, Government of India. He requested the Hon'ble Minister to persuade the Government of the U.K. to declassify all relevant classified British documents and to take all steps in terms of the d.o. letter No. 25/4/NGO-Vol.VI dated 26.09.2001 of the then Hon'ble Minister of External Affairs. Apropos the said discussion, the Commission's letter No. 398 dated 11.11.2002 was sent by Speed Post to the Ministry of

External Affairs, Government of India, with the request to take appropriate action in the matter. The Hon'ble Minister of External Affairs, Government of India, in his d.o. letter dated 13.11.2002 addressed to the Hon'ble Chairman has stated inter alia : ".....since the Commission feels that these papers (i.e. classified British records on Netaji Subhas Chandra Bose) could be of vital importance with reference to its mandate, we have again taken up the issue of their release with the British Government and would keep you informed of the outcome in this regard.

I would like to take this opportunity to reassure of all possible assistance from our side to facilitate the inquiry of the Commission."

Further development in the matter is awaited.

- 23
Me
18. Notwithstanding the statement made by Late Morarji Dessai, the then Prime Minister of India, in the Lok Sabha on 28.08.1978 regarding the availability of "further contemporary official documentary records", no such records could be located by the Prime Minister's Office, the Cabinet Sectt., and the Ministry of External Affairs, as reported by them. The said reports would be considered by the Hon'ble Chairman at the appropriate stage to express his views thereon. The report called for in the matter from the Ministry of Home Affairs by Commission's Registered letter No. JMCI/Records/N.Delhi/99-2000/37/177 dated 29.06.2001 has not yet been received inspite of several reminders.

- To be checked
✓ p 124/cw
Records were traced
with p 126/cw
PMO was informed
with p 151/cw
with p 4. p 229/cw
19. On being requested by the Commission, the Indian Embassy in Japan has agreed on December 27, 2002 to solicit the services of an expert to re-examine the bones allegedly of Netaji Subhas Chandra Bose kept in Renkoji temple "to seek his opinion on whether any material exists from which D.N.A. may be isolated for the purpose of a D.N.A. test." Further development in the matter is awaited.
- For information

20. Shri Nandalal Chakraborty, one of the deponents of the affidavit No.JMCI/11, in his letter dated 01.11.2002 addressed to the Secretary of the Commission, has requested the Commission to visit the USA, the UK, and Germany for reasons mentioned therein. A copy of the said letter has been sent to the Ministry of External Affairs, Government of India, in continuation of the Commission's letter No.398 dated 11.11.2002 as referred to para 17 hereinbefore, with the request to act accordingly. The reply of the Ministry of External Affairs in the matter is awaited.

21. Some handwritings allegedly of 'Gumnami Baba' were made over to the Government Examiner of Questioned Documents, Bureau of Police Research and Development, Ministry of Home Affairs, Government of India, Simla, on 02.09.2002 along with some admitted specimens of the handwritings of Netaji Subhas Chandra Bose for examination of the said questioned handwritings by comparing with the said admitted specimens of handwritings. The sealed report of the said Government Examiner has been collected and brought to the office of the Commission on 25.11.2002. The aforesaid two sets of handwritings have been made over to another competent handwriting expert in the last week of December, 2002. It need be pointed out in this connection that it may take considerable time to get the aforesaid two sets of handwritings examined by the said second expert and thereafter by the third expert.

22. Shri Subrata Bose, a nephew of Netaji Subhas Chandra Bose has stated before the Commission at the time of its hearing on 02.12.2002 that he would try to impress upon some of the descendents in the paternal and maternal lineage of Netaji Subhas Chandra Bose to donate blood. Shri Nirupam Som, who earlier questioned the efficacy of the proposed D.N.A. test, has stated inter alia in his letter dated 05.12.2002 to the Secretary of the Commission : "I see no reason to deviate from the stand taken by me in my earlier letter to you. I am also sure that Shri Subrata Bose is aware of the points raised in the same. Hence, since this important matter of blood donation is being

delayed, I hereby express my willingness to donate blood for the D.N.A. test provided Shri Subrata Bose has also given concurrence and has donated the same." Shri Sadhan Kar in his letter dated 26.12.2002 received by the Commission on 06.01.03 has expressed his willingness to cooperate with the Commission for the proposed D.N.A. test. The Commission by its Registered letter No.495 dated December 31, 2002 has requested Shri Dwarka Nath Bose, son of Netaji's elder brother Late Sunil Chandra Bose to convey in writing his willingness to donate his blood sample of one ml. for the purpose of the proposed D.N.A. test. The Commission is still making efforts to collect the names and addresses of other eligible donors, if any, of Netaji's family.

23. Necessary steps have been taken for the hearing of the Commission scheduled to be held on January 9, 2003 in Annexe Building, Mahajati Sadan, Kolkata on the contents of the paragraph 7(a) of the Status Report as on 28.11.2002 (copy enclosed).
24. The Secretary, Ministry of External Affairs, Government of India, has been requested by the Commission's registered letter No.JMCI/CPDC/2000/432 dated November 27, 2002 to kindly persuade the Government of Japan to get from the Government of Taiwan the original Register of Cremation Permits for the period from 18.08.1945 to 21.08.1945, the original application for cremation Permit allegedly filed on 18.05.1945 in the name of Chandra Bose or Subhas Chandra Bose, the original application for Cremation Permit, if any, filed on 18.08.1945 or 19.08.1945 in the name of Ichiro Okura, the original Death Certificate allegedly issued in the name of Subhas Chandra Bose or Chandra Bose and the original Death Certificate, if any, in the name of Ichiro Okura, since the Commission is essentially required to have an access to those documents in view of the facts and circumstances stated in the aforesaid letter dated November 27, 2002

of the Commission. A copy of the said letter along with copies of the enclosures thereto has also been sent to the Joint Secretary (IS), Ministry of Home Affairs, Government of India, on November 27, 2002 by Registered Post. Their response is awaited.

P. K. Sengupta
13/1/07
(P.K. Sengupta)
Secretary

Status Report as on 28.11.2002 showing action taken on/compliance with orders/directions including those contained in the proceedings dated 10.06.2002 read with the proceedings dated 23.03.2000, 13.06.2000, 31.08.2000, 28.09.2000, 23.11.2000, 21.12.2000, 17.01.2001, 04.04.2001, 13.06.2001, 17.10.2001, 20.12.2001 & 22.03.2002 of the Commission.

1. Xerox copies of the Commission's Status Report as on 06.06.2002 and of the proceedings dated June 10, 2002 and July 16, 2002 were sent to the Secretaries, Ministry of Home Affairs, Ministry of External Affairs, Prime Minister's Office, Cabinet Secretariat, Ministry of Defence, as also to the Director General, National Archives of India, and the Director, Intelligence Bureau, Government of India, under Commission's registered letter no. JMCI/Meeting-Proceedings (Follow up)/ 99-2000/48 (IV)/237 (7) dated 01.08.2002 for their information and taking necessary action at their end. The Commission's Status Report from 01.10.2002 to 31.10.2002 was sent to the Ministry of Home Affairs on 11.11.2002 by Registered Post for necessary action at their end.
2. The Commission has been persistently asking the Ministry of Defence, Government of India, for their affidavit on existence/non-existence/availability/non-availability, etc. of the complete records of the proceedings of the trial of the INA personnel.
3. No counter-affidavit or affidavit-in-opposition was filed by Ministry of Home Affairs, Ministry of External Affairs, Prime Minister's office, Cabinet Secretariat, Ministry of Defence and Intelligence Bureau, Govt of India in respect of averments/contentions/allegations contained in the affidavits/supplementary affidavits of different deponents in spite of repeated reminders. Hence, they have been intimated by registered letter no 300 dated September 03, 2002 that because of the said default of the said Ministries/Departments/Offices of the Government of India, the Commission presumed that the formers did not want to file any counter-affidavits or affidavits-in-opposition as they had nothing with them to enable them to say anything contrary to or rebut on oath the averments and contentions contained in the aforesaid affidavits.
4. Xerox copies/authenticated copies of various files of the Government of India as received from time to time are being scrutinized and further references are being made to the Government of India to elicit further information/documents in appropriate cases.
5. To expedite the matters, the Hon'ble Chairman went to Delhi on 28.10.2002 and met the Hon'ble Minister of External Affairs, Government of India. He requested the Hon'ble Minister to persuade the Government of the U.K. to declassify all relevant classified British documents and to take all steps in terms of the d.o. letter No. 25/4/NGO-Vol.VI dated 26.09.2001 of the then Hon'ble Minister of External Affairs. Apropos the said discussion, the Commission's letter No 398 dated 11.11.2002 was sent by Speed Post to the Ministry of External Affairs, Government of India, with the request to take appropriate action in the matter. The Hon'ble Minister of External Affairs, Government of India, in his d.o. letter dated 13.11.2002 addressed to the Hon'ble chairman has stated inter alia : "..... since the Commission feels that these papers (i.e. classified British records on Netaji Subhas Chandra Bose) could be of vital importance with reference to its mandate, we have again

taken up the issue of their release with the British Government and would keep you informed of the outcome in this regard.

I would like to take this opportunity to reassure of all possible assistance from our side to facilitate the inquiry of the Commission."

Further development in the matter is awaited.

- Duplicate*
6. Notwithstanding the statement made by the then Prime Minister in the Lok Sabha on 28.08.1978 regarding availability of "further contemporary official documentary records", no such records could be traced out by the Government of India, as reported by them. The reports given by the Ministry of External Affairs, Prime Minister's Office, the Ministry of Home Affairs, etc. in the matter would be considered by the Hon'ble Chairman at the appropriate stage to express his views thereon.

- MBA*
- 7(a) The Hon'ble Chairman and the Secretary of the Commission visited Japan in the month of September, 2002 and could examine only one witness, viz., Dr. T. Yoshimi, in spite of publication of a notice about the sitting of the Commission in Japan, in a prominent English daily of Japan before the visit of the Commission to Japan. The Commission could interact with a number of local people at the Renkoji Temple in Tokyo who declined to depose before the Commission as witnesses. They have, however, stated that they all believe that Netaji had died in the plane crash on 18th August, 1945 and that the ashes of Netaji are being preserved at the Renkoji Temple; but none of them could adduce any evidence in support of their said beliefs. The Commission could not visually examine the ashes kept in Renkoji Temple as the container thereof could not be opened by the authorities of the Renkoji Temple on that day for some practical difficulties. Since the Commission was leaving for Miyazaki on that very day to examine Dr. T. Yoshimi, the Hon'ble Chairman addressed a letter to the Ambassador of India in Japan (who was away from Tokyo on that day) requesting him to get the ashes examined by a competent officer of the Embassy to ascertain whether there is any bone or fragments of bone in them justifying examination of the ashes by D.N.A. test. The report dated November 12/18, 2002 of the Indian Embassy in Japan and the photographs received by the Hon'ble Chairman on 28.11.2002, shows that the casket alleged to be containing the mortal remains of Netaji Subhas Chandra Bose appear to be having bone fragments, parts of the skull, some teeth, and a portion of the jaw.

- MBA*
- 7)b) Shri Nandalal Chakraborty, one of the deponents of the affidavit no. JMCI/11, in his letter dated 01.11.2002 addressed to the Secretary of the Commission has requested the Commission to visit the USA, the UK, and Germany for reasons mentioned therein. Copy of the said letter has been sent to the Ministry of External Affairs, Government of India in continuation of the Commission's letter no. 398 dated 11.11.2002 to act accordingly.

- Rn*
8. The documents collected by the National Archives of India from the UK as per requisition of the Commission have been received and are being scrutinized by the Commission.

- MBA*
9. The Commission has received from the Ministry of External Affairs some papers in support of the contention of the Ministry of External Affairs that the name of Netaji Subhas Chandra Bose does not appear in the list of "War Criminals".

10. The Commission has been pursuing with the Ministry of External Affairs, Ministry of Home Affairs, Prime Minister's Office, Ministry of Information and Broadcasting, the Intelligence Bureau, etc., Government of India, for various files/documents/records/reports called for from them which are yet to be received by the Commission.
11. Some handwritings allegedly of "Gumnami Baba" were made over to the Government Examiner of Questioned Documents, Bureau of Police Research and Development, Ministry of Home Affairs, Government of India, Simla, on 02.09.2002 along with some admitted specimens of the handwritings of Netaji Subhas Chandra Bose for examination of the said questioned handwritings by comparing with the said admitted specimens of handwritings. The sealed report of the said Government Examiner has been collected and brought to the office of the Commission on 25.11.2002. Efforts are being made to get the aforesaid two sets of handwritings examined independently by two more eminent handwriting experts, one after the other. It may be pointed out in this connection that it will take considerable time to get the questioned handwritings, allegedly of Netaji Subhas Chandra Bose, verified with admitted specimens of his handwritings by 3 (three) eminent handwriting experts independently, one after the other.
12. The authenticated xerox copies of the relevant rules and procedures, which were in force at the time of destruction of different files/documents of the Government of India, as called for, could not be received from the Prime Minister's office in spite of close persuasion by the Commission. Hence, it has been decided not to pursue the matter further.
13. To collect blood samples of persons on the paternal/maternal lineage of Netaji Subhas Chandra Bose for the purpose of DNA tests of the relevant specimens out of the articles seized from the house in Faizabad, UP for establishing the identity of the subject to whom those specimens belonged, Sarbasree Nirupam Som, Subrata Bose, Pradip Bose, Sugata Bose, Chandra Kumar Bose, Surya Kumar Bose, Sadhan Kar and Smt. Chitra Ghose were requested by the Commission's letters dated 30.07.2002/ 03.10.2002/04.10.2002 to kindly cooperate with this Commission by communicating their willingness to donate their respective blood samples of one ml. each. While no response has yet been received from Sarbasree Chandra Kumar Bose, Sadhan Kar and Smt. Chitra Ghosh, Shri Nirupam Som and Shri Sugata Bose have questioned the efficacy of the proposed DNA test in their respective replies to the Commission in the matter. Shri Surya Kumar Bose, who is now living in Germany, has however expressed his willingness to donate the blood but has informed that he has no plan to visit India in near future. Shri Pradip Bose has replied that he has no objection to donate the blood in New Delhi as he will not be able to come to Kolkata in near future. Shri Subrata Bose in his letter dated November 28, 2002 which was received by the Commission at 3.45 PM on the same day, conveyed his willingness to donate blood sample for the proposed DNA test on the specimens obtained from Faizabad, UP, "and for no other purpose". The Commission is still making efforts to collect the names and addresses of other eligible donors, if any, of Netaji's family.

No.I/12014/13/2000-IS(D.V)

Government of India
Ministry of Home Affairs

New Delhi dt. 13.2.03

To

The Secretary
Justice Mukherjee Commission of Inquiry
Netaji Subhas Chandra Bose
'B' Block (3rd floor), 11/A Mirza Ghalib Street
Kolkatta 700087.

Subject: Status Report for the months of November and December 02.


Sir,

In the above-cited subject matter the position has been examined with reference to the issues involved and a Status Note is enclosed for kind perusal of JMCI.



Enclosure : As above

Yours faithfully,


(M.S. ZUHA)
DESK OFFICER

Paragraph in the Status Reports for the month of Nov. & Dec. 2002	Action for MHA	Action Taken
Para 5 & 4 of Status Report of Nov.& Dec. respectively.	Xerox copies of Prime Minister Office's letter No.915/11/C/2/2002-Pol. Dated 3 rd /5 th September, 2002 addressed to the Commission, P.M.O.'s U.O.No.PMS-307 dated 5.1.1974 sent to Shri T.C.A. Nivasavardan, Additional Secretary, Ministry of Home Affairs, Government of India, and d.o. letter No.24/27/71-Pol.II(D.III) dated May 3 / 4, 1974 of the Home Minister addressed to Samar Guha, M.P. were enclosed and the Secretary, Ministry of Home Affairs was requested to kindly furnish to the Commission immediately the details of documents which could be secured by the Government of India and supplied to the Khosla Commission as also the particulars of the documents which could not be secured by them because of their non-availability along with authenticated Xerox copies of different affidavits of the MHA filed before the Khosla Commission in the matter and of the reply given by the Home Minister in the Lok Sabha on 27 th March, 1974 as stated in the aforesaid d.o. letter dated 3 / 4 May, 1974 of the Home Minister addressed to Sh.Samar Guha, M.P. He was further requested to kindly send immediately an authenticated Xerox copy of the reply, if any, given by the Ministry of Home Affairs to Sh.Samar Guha as requested in para 4 of the aforesaid P.M.O.'s U.O. Note No.PMS-307 dated 5.1.1974. The reports/particulars/documents as called for from the Ministry of Home Affairs are still awaited.	Despite various efforts this Ministry's file No.24/27/71-Pol-II could not be traced. As such the copies of affidavits of the MHA filed before Khosla Commission cannot be made available to the Commission. However a file No.6/7/74-NC regarding L.S. admitted Starred Question for 27/3/74 raised by Sh. Samar Guha relating to recording of evidence of Habibur Rahman in Pakistan is available and photo copies of contents of this file is enclosed as annexure 'A'.
Para 7 & 6 of Status Reports of Nov. & Dec. respectively.	The Secretary, Ministry of Home Affairs, Government of India, has again been requested by Commission's registered letter No.JMCI/Meeting-Proceedings (Follow Up)/99-2000/48 (III)/121 dated June 14, 2002 to send immediately authenticated true copies of the papers/documents concerning Sl.Nos. (ii), (iii), (iv), (v), and (vi) of para 1 of the letter No.281/12/1/2000-TS dated September 19, 2001 of the Cabinet Secretariat, Government of India, addressed to the	The Commission has already been apprised of the factual position of documents concerning S.No.(ii), (iii), (iv), (v) & (vi) vide this Ministry's letter of even number dated 2/1/03 through Sh. Panja, PPS to Chairman, JMCI.

	19, 2001 of the Cabinet Secretariat, Government of India, addressed to the Commission which indicates that those papers/documents have been sent to the M.H.A. by the Cabinet Sect. A copy of the said letter of the Cabinet Sect. has been enclosed with the Commission's aforesaid letter dated June 14,2002. The said records are still awaited.	
Para 10 & 9 of the Status Reports of Nov. & Dec. respectively.	The Secretary, Ministry of Home Affairs, Government of India, has been requested by Commission's registered confidential letter No.JMCI/Records/2000-01/37(II)/533 dated January 28, 2002 to let the Commission know what was the outcome of the action, if any, taken on U.O. No.800/6/C/I/90-Pol. Dated September 21,1990 of the Prime Minister's Office addressed to Shri Naresh Chandra, the then Home Secretary, Government of India, wherewith a copy of the letter dated September 13,1990 of Shri Amiya Nath Bose addressed to Shri V.P. Singh, the then Prime Minister of India and of the enclosure thereto which is a xerox copy of the news titled, "Fresh Clue on Netaji's Death published in the 'Times of India'((New Delhi) dated September 3, 1990 were sent to the Home Secretary, Government of India, for appropriate action. It has also been stated in the said letter dated 28.01.2002 of the Commission that the said letter dated September 13, 1990 of Shri Amiya Nath Bose with its enclosure and the said U.O. Note dated September 21, 1990 of the Prime Minister's Office are available in File No.800/6/C/I/90-Pol. Of the Prime Minister's Office, on the subject. "Netaji Subhas Bose – Bringing in the ashes of". A self-contained reminder has been sent to the Secretary, Ministry of Home Affairs by Registered Post vide Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/195 dated July 22.2002. The reply of the Ministry is still awaited.	The JMCI has already been apprised of the factual position vide Para 5 of this Ministry's Status Report dt.18.7.02 followed by subsequent communication of even number dt. 24.1.03 which inter-alia states that no specific action was called for on this receipt and the letter was taken on record.
Para 3b(i) & 11.(a) of the Status Report of Nov. &	By Commission's registered letter No.310 dt. 6.9.02, the attention of the Secretary, Ministry of Home Affairs, Government of India was drawn to	The Commission has already been informed vide para 11 of this Ministry's Status Report

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Dec. respectively.	Commission's registered letter No.JMCI/Records/N.Delhi/99-2000/37(III)/201 dated 27.7.2002 and he was requested to report to the Commission immediately the details of action taken on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P., Lok Sabha, addressed to the then President of India and the outcome thereof. The said letter of Shri Sondhi was sent by the Prime Minister's Office to the Ministry of Home Affairs under the former's U.O.No.2(64)/56-70-PM dated October 22, 1970 for such action as was considered appropriate. A copy of the said letter dated 15.10.1970 was also enclosed with the Commission's registered letter No.JMCI/Records/N.Delhi/99-2000/37(II)/608(2) dated March 14, 2002 sent earlier to the Ministry of Home Affairs in the matter. The report called for from the M.H.A. is still being awaited.	dt.18/7/02 followed by subsequent communication of even number dt.24.1.03 which inter-alia states that no such paper have become available in the Ministry of Home Affairs and Hon'ble Commission may get in touch with the Ministry of External Affairs/PMO to obtain information in this regard. . .
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Annexure B

Para 14 &15 of the Status reports of Nov. & Dec. respectively.	The letter No.281/12/1/2000-TS dated November 13,2002 of the Director, Cabinet Sect., Rashtrapati Bhavan, New Delhi, which is in reply to Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/374 dated October 10, 2002 addressed to the Secretary, Cabinet Sectt., Rashtrapati Bhavan, New Delhi, does not contain the information about the Department/Ministry/Office, out of which the Cabinet Sectt.was formed or about the Department/Ministry/Office of the Government of India which used to look after the works now being looked after by the Cabinet Sectt., Rashtrapati Bhavan and the Cabinet Sectt. , Bikaner House Annexe, New Delhi, as called for. The said information is still awaited from the Cabinet Sectt., Rashtrapati Bhavan, New Delhi.	The requisite document made available by the Cabinet Sectt., Rashtrapati Bhavan has been sent to JMCI through fax vide this Ministry's letter of even number dt.24/1/03. (copy enclosed)
18 of the Status report dt.1.12.02	Notwithstanding the statement made by Late Morarji Desai, the then Prime Minister of India, in the Lok Sabha on 28.8.1978 reg. the availability of "further contemporary official documentary records", no such records could be located by the Prime Minister's Office, the Cabinet Sectt., and the Ministry of External Affairs, as reported by them. The said reports would be considered by the	The JMCI has already been apprised of the factual position of its non-availability through this Ministry's affidavit dt.19/12/01 (copy enclosed)

Annexure 'C'

mt

	Hon'ble Chairman at the appropriate stage to express his views thereon, the report called for in the matter from the Ministry of Home Affairs by Commission's Registered letter No.JMCI/Records/N.Delhi/99-2000/37/177 dated 29.6.2001 has not yet been received inspire of several reminders.	
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BY FAX
(FAX No. 033- 8371631)

No.I/12014/13/2000-IS(D.V)
Government of India
Ministry of Home Affairs
.....

New Delhi dt. 1.10.03

To

The Secretary
Justice Mukherjee Commission of Inquiry
Netaji Subhas Chandra Bose
'B' Block (3rd floor), 11/A Mirza Ghalib Street
Kolkatta 700087.
(Attn: Sh.M. Roy, OSD)

Subject: Documents relating to investigation into the circumstances relating to the death of Netaji Subhas Chandra Bose.

Sir,

x/p . 187/lov
✓ p . 151/lov
✓ p . 169/lov

I am directed to refer to your letter No. JMCI/Stat. Rept/99-2000/33A/453 (6) dated 9.12.02 enclosing therewith a copy of status report from 1.11.2002 to 30.11.2002, the Cabinet Secretariat vide their d.o.No.281/12/1/2000-TS dated 31.12.02 has furnished a hard copy regarding the origin of Cabinet Secretariat as asked for vide para 14 of the status report referred to above. A copy thereof is enclosed herewith for your information.

In regard to status report for the month of October, 2002, Parawise reply concerning Ministry of Home Affairs with reference to the issues indicated therein is as follows:-

Para 3(a) An authenticated copy of the Judgement Order dated 4.3.1987 delivered by the Hon'ble Mr. Justice Bhargava of Rajasthan High Court has already been handed over to Shri N.K. Panja, PPS to the Chairman, JMCI on 2/1/03. Perusal of the Judgement Order reveals that no counter affidavit was filed by the G/o India, despite repeated direction to Govt. Council resulted the instant order as an ex-parte decision. Hence no copy of affidavit in opposition could be made available to the Commission.

✓ **Para 3(b)(i)** The JMCI has already been apprised the factual position vide para 12 of this Ministry's Status Report dated 18.7.02 inter-alia that no such papers have become available in this Ministry and Hon'ble Commission may get in touch with MEA/PMO to obtain information in this regard.

all issue

Para 4 The Ministry's relevant file No.24/27/71-{Poll-II is not readily traceable and the Commission will be informed the factual position in due course.

Para 6 In this regard the Commission has already been apprised vide this office letter of even No. dated 2/1/03 sent through Shri Panja, PPS to Chairman JMCI.

Para 9 A suitable reply alongwith copy of documents relating to Lok Sabha Unstd. Qn. Dy No.3427 for 28.2/74 has already been communicated through Shri Panja PPS to Chairman JMCI on 2/1/03.

Para 10 The JMCI has already been intimated vide Para 5 of this Ministry Status Report dated 18.7.02 inter-alia that no specific action was called for on this receipt and the letter was taken on record. It will be appreciated if this issues may not be raised again.

Para 16 The JMCI is once again informed that copies of the letter dated 22.3.1993 of Dr.Shankar Dayal Sharma the then President of India alongwith a copy of letter dated 13.3.93 jointly written by Shri Triguna Sen, Sh.Amiya Kumar Majumdar were forwarded to MEA for appropriate necessary action vide this Ministry's letter No.I/12014/3/93-IS(D.III) dated 17th May,1993 (copy enclosed) for the necessary action at your end.

JMCI is once again requested that the issues or documents pertaining to this Ministry on which the factual position has been intimated may not be raised or insisted upon from time to time or shown as pending against this Ministry in the Status Report.

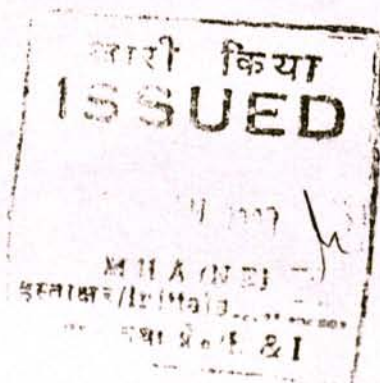
Yours faithfully,


(U.K. KALRA)
DIRECTOR(IS-II)

Copy to: Cabinet Sectt., Sh.A.K. Dubey, Joint Secretary w.r.t to their d.o.letter No.281/12/1/2000-TS dated 31.12.02

Please see
24/1/2003

Recd
24/1/03



22/11/01

Before the Hon'ble Justice Mukherjee Commission of
Inquiry at Kolkata

IN THE MATTER OF COMPLIANCE WITH THE ORDERS
OF THE COMMISSION AS PASSED IN ITS PROCEEDING
DATED 17TH OCTOBER 2001 HELD AT NEW DELHI.

AFFIDAVIT

I, Smt. Sangita Gairola working as Joint Secretary
(Internal Security-I) in the Ministry of Home Affairs do solemnly
affirm and state as under: -

1. With regard to the Status Report as on October 9, 2001,
actions asked in Paragraphs 2, 5, 6, 7, 8, and 9 have been
shown as pertaining to Ministry of Home Affairs. With
regard to each of those paragraphs, our response is given
in the succeeding paragraphs.
2. With regard to Paragraph No.2 of the said Status Report,
the documents mentioned in Paragraphs (a) (i) and (a) (iii)
of the Proceeding dated 23rd March, 2000 are not available
in the Ministry of Home Affairs. The Ministry of External
Affairs, Prime Minister's Office and the Ministry of
Defence have been asked on 25.10.2001 and Intelligence
Bureau on 5.11.2001 to identify the



ATTACHED

T. SINGH
NOTARY PUBLIC
DELHI (INDIA)
19 DEC 2001

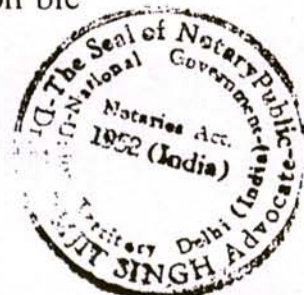


records/files/documents mentioned in the said Paragraphs Nos. a (i) and a(iii) of the proceeding dated 23rd March, 2000, and report which of them pertain to them and to apprise the Commission directly of the position. Only Ministry of Defence has informed that an affidavit has already been submitted before the Hon'ble Commission on 1st February 2001 regarding documents mentioned at the said Paragraphs (a) (i) and (a) (iii) of the proceedings dated March 23, 2000. Intelligence Bureau has filed a separate affidavit on 11.12.2001 regarding their stand with respect to said various documents etc. This Ministry is therefore not in a position to state as to which Ministry/Department, those documents pertain.

3. As regards the requisition made in Paragraph No.5 of the Status Report, certain records pertaining to Khosla Commission were made available to the Hon'ble Commission. The records already made available to the Commission were identified by a representative of Ministry of Home Affairs in the sitting of the Commission on 22.12.2000. However, as per direction of the Hon'ble

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Commission as contained in the Status Report as on October 9, 2001, a vigorous search was launched to locate files/documents mentioned in the proceedings from time to time. As a result of this search, some more documents have since become available and a list thereof is enclosed at Annexure – A herewith, for perusal of the Hon'ble Commission.

4. With respect to the "contemporary official documentary records" referred to in Paragraph No.6 of the said Status Report dated 9th October, 2001 no such records have been located in this Ministry so far. The matter has also been taken up with Prime Minister's Office on 10.10.2001, requesting them to trace the relevant records at their end.

5. With regard to requisitions made in Paragraph No.7 of the said Status Report, in so far as affidavit/supplementary affidavit of some deponents including the affidavit dated February 17, 2000 and two supplementary affidavits dated July 28, 2000 and August 25, 2000 filed on behalf of Jyotish Chandra Bose and 8 others are concerned, the contents thereof have been gone through. The averments



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and allegations made therein are matters of records and subject to consideration by the Hon'ble Commission. Some of the records available with this Ministry have been made over to the Honb'le Commission and some others have been discovered with this Affidavit for consideration by the Honb'le Commission.

As has already been stated, this Ministry has also taken up the matter with Ministry of External Affairs, Ministry of Defence, Intelligence Bureau, National Archives of India and Prime Minister's Office to go through the documents and if necessary submit an affidavit to the Commission directly.

6. With regard to the requisition made in Paragraph No.8 of the said Status Report it may be submitted that as far as this Ministry is concerned no such affidavit has been located so far.
7. Regarding the matters of Paragraph No.9 of the said Status Report, we have sent copies of the Affidavit to the concerned Ministries for examination and reporting directly to the Commission. There is nothing in records of



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this Ministry to indicate the name of the Ministries/Departments concerned with various documents. Position with regard to documents/files located by this Ministry has already been stated in Paragraph No.3 hereinabove. Intelligence Bureau has informed this Ministry that it has filed an affidavit dated 11/12-12-2001 in compliance with the orders/directions of the Hon'ble Commission.

As per information furnished by National Archives of India, all the files relating to disappearance of Netaji Subhas Chandra Bose including INA files transferred to it by Ministry of Defence are open for consultation and the Commission may depute their representative for consulting the same if so desired.

Sangita Gairola

(SANGITA GAIROLA)
Deponent



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31 DEC 2001

Verification

I, **Sangita Gairola** declare and affirm that what is stated above is true to my knowledge and no part of this affidavit is false and nothing material has been concealed.

Verified at New Delhi on 19th December 2001.

Sangita Gairola
(SANGITA GAIROLA)
Deponent

Deponent identified -

[Signature]
19.12.2001
(U.P. BHATTAR)
Under Secretary
Minister of Home Affairs



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[Signature]
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NEW DELHI (INDIA)
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**LIST OF FILES/DOCUMENTS/RECORDS AVAILABLE FOR THE
CONSIDERATION OF THE HO'BLE COMMISSION**

Sl. No.	File No.	Subject
1.	-	Record of Oral evidence-Vols. 1 to 17 (pages 1 to 4681) (details given in schedule-1 attached).
2.	-	Register of day to day working of the Netaji Inquiry Commission-1970.
3.	-	List of orders passed by the Chairman (Some orders signed by Chairman, Shri G.D. Khosla in original) (21.8.70-30.7.73)
4.	-	Shah Nawaz Khan-W-I (Exhibits produced by Shah Nawaz Khan-before the Commission containing original affidavit of Shah Nawaz Khan dated 22.12.70.
5.	-	Record of the Proceeding of the Commission-Vol.XX-Pages 5532-5907 (dated 17.12.73 to 2.1.74).
6.	-	Record of the proceeding of the Commission-Vol.XXI-Pages 5908-6486 (dated 14.1.74 - 22.1.74)
7.	-	Vol.XXIII-Verbatim proceeding of the sitting of the Commission held on 15.2.74, 21.2.74 and 22.2.74 (no page Nos. given).
8.	-	Proceedings of the Commission on the 11 to 14 March 1974-Vol.XXIV (No page nos. given).
9.	-	Order of the Chairman dated 18.9.73.
10.	-	Order of the Chairman dated 13.12.73.
11.	-	Order of the Chairman dated 30.7.1973.
12.	-	Chairman's order dated 27.12.1973.
13.	-	Commission's order dated 2.1.1974.
14.	-	Translation copies of the document filed before the Commission at Taipei.
15.	-	Death of Subhas Chandra Bose-Summary of Record's in the mounbatten diaries (WO 172F in P.R.O.) relating to the event. (two typed pages-2 copies).
16.	-	Nation's Homage- life and work of Netaji Subhas Chandra Bose.
17.	-	Material supplied by Government.
18.	-	Material pertaining to the reported death of Netaji Subhas Chandra Bose (list of Lok Sabha debates etc.)
19.	-	One Tape (received from Khosla Commission).
20.	-	Netaji in Germany-Book.



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21.	-	One Japanese Book relating to Subhas Chandra Bose.
22.	-	Netaji Mystery-Book.
23.	-	INA & Its Netaji-Book.
24.	-	Netaji Subhas Chandra Bose/Havashida-Book.
25.	-	The Indian National Army-Book.
26.	-	Type material-Bhavan's Book university-Netaji in Germany (A little-known chapter) by N.G. Ganguley.
27.	-	F.No.30/131/69-A&N-Netaji Subhas Chandra Bose Memorial to proposal regarding.
28.	-	A bundle of misc. loose papers containing copies of secret reports of Ministry of Defence and some papers from Embassy of India-Tokyo on the death of Netaji (details in schedule-II attached).
29.	1/10/70-NIC	Personal file of Shri Ghanshyam, Peon.
30.	3/13/73-NC Vol.1	Formosa visit.
31.	6/28/73-NC	Reference received from Shri Samar Guha, MP regarding appearing of Col. Habibur Rehman before NIC.
32.	6/13/72-NC	L.S. Qn. No.1007 for 2/8/72 Memorandum submitted to the Commission.
33.	4/35/71-NC	Summons issued to Genl. Wadalia, Qutab Stud. Agricultural Farm, New Delhi.
34.	3/2/70-NIC	Accommodation for having session at Vigyan Bhavan.
35.	25/13/70-Poll-II	Fresh Inquiry into the disappearance of Netaji Subhas Chandra Bose in 1945- demand for.
36.	25/16/70-Poll-II	Appointment of Commission of Inquiry for fresh into disappearance of Netaji- Misc. correspondence with members of public.
37.	1/12014/6/80-D.III	Reference received from Prime Minister's Office to consider a suggestion made by Shri Tatsuo Hayashida for bringing the ashes of Netaji Subhas Chandra Bose to India for permanent repose.
38.	VI/11034/149/96-D.III	Misc. references pertaining to death/disappearance of Netaji Subhas Chandra Bose.
39.	-	List of exhibits produced by the witnesses-Master Copy.
40.	-	List of files received from Ministry of External Affairs.
41.	-	List of Books produced by witnesses.
42.	-	List of documents asked for from the Govt. showing their position availability.
43.	-	List of Exhibits marked as "Com No" during the arguments session held at Vigyan Bhavan from



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44.	-	10.9.73 to 20.11.73. Parliament Questions on Netaji Subhas Chandra Bose's death answered during 1970.
45.	1/13012/17/82-D.III	Lok Sabha Starred Question Dy.No.3279 for 3.3.1982 by Shri A.K. Roy regarding item captioned 'on Netaji Trial'.
46.	1/18/71-NC	Personal file of Shri R.C. Sharma, Peon.
47.	1/19/71-NC	Personal file of Shri Shiv Charan Lal, Peon.
48.	1/20/70-NC	Personal file of S.K. Sengupta, Peon.
49.	1/26/72-NC	Personal file of Shri G.R. Nair, IAS.
50.	1/15/70-NC (Vol.III)	TA Bills of the Chairman.
51.	4/3(a)/70-NC	Urdu letter from Ram Nath Agarwal.
52.	4/4/70-NC	Abdul Razak (General letter for information).
53.	-	Report of S.A. Ayer on Fatal Aircrash of Netaji Subhas Chandra Bose at Taihoku (FORMOSA) on August 18, 1945.
54.	-	China Post- Newspaper report.
55.	-	Register showing attendance of the counsels of the commission appointed by the Chairman Netaji Inquiry Commission to assist the commission.
56.	-	Write off of Loss- Orders of Secy. about loss of tray.
57.	-	Trunk Call Register for Telephone No.386220.
58.	-	Telephone Rent Bill Register from 1972-74.
59.	-	Telephone Trunk Call Register from 1.4.72 to 30.6.74.
60.	-	Register showing purchase of Newspapers etc. for Netaji Commission.
61.	-	Rates- DLY & DLZ CARS.
62.	-	Pay Bill file of Shri R.L. Malhotra, Asstt.Secy., Netaji Inquiry Commission, for the year 1973-74. (1 st August 1973 onwards).
63.	-	Register showing purchase of Newspapers etc. for Netaji Inquiry Commission from 1.4.73.
64.	-	Pay Bill file of Shri U.S. Mittal, Asstt. Secy. - 1972-73.
65.	-	Communication from Shri M.L. Anand, PS to Chairman regarding arranging of Cars.
66.	-	Review of Telephone bills of 1973-74 & 1974-75.
67.	-	Law Commission of India, Forty-Third Report of Offences Against the National Security.
68.	13012/16/75.S&P (D.III)	Starred question D.No.1391 in Lok Sabha for 26 th Feb. 1975 regarding material for publication of book "Last days of Netaji" by Shri Samar Guha.
69.	13012/49/76.D.III S&P	Parliament question- by Shri Subhodh Hansda-



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		regarding preservation of Ashes/remains of Netaji brought from Tokyo.
70.	21015/932/78.D.III	Setting up of another Commission on Netaji Subhas Chandra Bose.
71.	12014/12/78.D.III.IS	Motion in the Lok Sabha by Shri Samar Guha for a fresh inquiry into the disappearance of Netaji Subhas Chandra Bose.
72.	13013/56/78.D.III (S&P)	Rajya Sabha 460 about the ashes of Netaji Subhas Chandra Bose.
73.	12014/6/79.IS.D.III	Letter from Sri. Pramanda Bajpayee about Netaji Subhas Chandra Bose.
74.	12014/9/79-D.III (S&P)	Regarding whereabouts of Netaji Subhas Chandra Bose.
75.	13012/79.D.III (S&P)	Unstarred Question No.6626 for 11.4.1979 regarding Ashes of Netaji Subhas Chandra Bose.
76.	12014/4/80.IS.D.III	Representation regarding the whereabouts of Netaji.
77.	12014/5/80.IS.D.III	Regarding whereabouts of Netaji Subhas Chandra Bose.
78.	12014/6/80.IS.D.III	Arrangements to bring ashes of Netaji Subhas Chandra Bose to India.
79.	12014/2/81-IS.D.III	Regarding Netaji Subhas Chandra Bose-Misc. representation.
80.	12014/1/91-IS.D.III	Letter from Shri Baburao Paranjpai, M.P. (L.S.) address to P.M. regarding. Some point of Netaji Subhas Chandra Bose.
81.	-	Netaji Commission Report.

LIST OF CLASSIFIED RECORDS *

Sl. No.	File No.	Subject
1.	F.14/1/88-T	Regarding ashes.
2.	F.21/51/76-T	Regarding ashes.

* A view would have to be taken regarding declassification/claim of privilege with regard to these 2 files by the Government.



ATTESTED
 THE
 NOTARY PUBLIC
 NEW DELHI INDIA
 30 DEC 2001

<u>SL.NO.</u>	<u>VOLUME NO.</u>	<u>COPY NO.</u>	<u>PAGE NO.</u>
1.	I	II	1 to 405
2.	II	II	406 to 798
3.	III	I	799 to 1169
4.	IV	II	1170 to 1634
5.	V	III	1635 to 1982
6.	VI	II	1983 to 2478
7.	VII	III	2479 to 2630
8.	VIII	IV	2631 to 2794
9.	IX	IV	2795 to 3064
10.	X	III	3065 to 3251
11.	XI	I	3252 to 3602
12.	XII	I	3603 to 3802
13.	XIII	III	3803 to 4062
14.	XIV	I	4063 to 4290
15.	XV	III	4291 to 4463
16.	XVI	III	4464 to 4602
17.	XVII	I	4603 to 4681(Signed by Chairman sh.G.D Khosla in original)



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15 DEC 2001

Schedule II
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LIST OF LOOSE TYPED AND MISC. PAPERS RELATING TO NETAJI ENQUIRY COMMISSION.

- ✓ 1. Revolution - What is it ? Published by the Indian Independence League - Editor - Narayana Menon, Rangoon.
- ✓ 2. File No.251/I.N.A (The Penang Propeganda School).
- ✓ 3. The Indian National Army Second front of the Indian Independence movement. K.K. Ghosh M.A. Ph.D.
- ✓ 4. Extract Secret file No.74/I.N.A-No.28000/6/GSI(b)(iii), A brief review of the so called 'Indian National Army'.
- ✓ 5. File No.26/Misc./INA-A monthly illustrated Magazine on Indian Affairs in East Asia - on to Delhi Shanghai, China.
- ✓ 6. Report by Counter Intelligence Corps, GHQ AFPAC on death of Subhas Chandra Bose, dated 29th Sep., 1945.
- ✓ 7. Comparative Statement showing the requisitioning and supply of various documents as ordered by the Commission from time to time with comments the office.
- ✓ 8. File No. 255/INA (5 folders) Report of Hikari Kidan.
- ✓ 9. No. 335/INA Discourses of cultural and national subjects for the Indian National Army.
- ✓ 10. Netaji Inquiry Committee - Report from the Japanese Government.
- ✓ 11. No.332/INA-DO's and Don'ts for the officers and men of INA.
- ✓ 12. Statement by Dr.T.Tsuruta, Furukawa 173, Tsu City, Mis-Prefl, recorded on 15-5-56 at 10 A.M. at Tokyo.
- ✓ 13. Second front of the Indian Independence Movement.
- ✓ 14. No. 273/ INA Subhas Chandra Bose- (Extracts bearing on his alleged death).
- ✓ 15. Netaji Inquiry Commission Visit to Malaysia.(Originaly signed letter from High Commission of India, Kualalampur to Shri D.K. Das, Secy.NIC)
- ✓ 16. Extract from Secret file No.471/INA.
- ✓ 17. Extract from Secret file No. 74/INA guide to GHQ.
- ✓ 18. File No.164/INA Report on the Indian Independence Movement.
- ✓ 19. His struggle and martyrdom-Tatsuo Myashida .
- ✓ 20. No. 20/Misc./I.N.A . 282/I.N.A.
- ✓ 21. File No. 164/I.N.A. Report on the Indian Independence Movement.
- ✓ 22. F. No. 25/Misc./INA - A concise Report on Event that took place in Malava since 8th December, 1941 and Particularly relating to Indian Community.



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7 DEC 2001

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- ✓ 23. F.No.252/INA (2 folders) Nippon Gurillas and Gurkha Penang school for special Gurkha party.
- ✓ 24. 244/INA Rant of Jhansi Regt.(Five folders)
- ✓ 25. Re-interrogation of Capt. Habir-ur-Rehman.
- ✓ 26. File Cover No.291/INA-Magazines and Pamphamlets.
- ✓ 27. Complete F.No.1/Misc./INA-470/INA-How the first INA was born.
- ✓ 28. Netaji in Germany- N.G. Ganpuley.
- ✓ 29. 317/INA- Netaji's Message to Mahatma Gandhi.
- ✓ 30. Parch No. 23 Tarik 21-5-44.
- 31. No. 250/INA A note on relations between the Japanese and the I.N.A. dated 12th June, 1943.
- ✓ 32. No. 253/INA Bangkok Conference Reports.
- ✓ 33. Chakravarti - No.4/23/70-NIC dated 22nd July, 1971.
- ✓ 34. Trikha - Tentative itinerary of Commission's visit to Far Eastern Countries.
- ✓ 35. List of countries to be visited with dates and time at which the Session will start.
- ✓ 36. List of papers, files, Books etc. to be taken on tour to Far Eastern Countries.
- ✓ 37. Detailed itinerary for visit to Rangoon, Kualalumpur, Singapore, Penang, Bangkok, Saigon and Hongkong.
- ✓ 38. Evidence Tokyo - 30 371
- ✓ 39. D.O No.3/11/71-NC.
- ✓ 40. Commissioner's witness.
- ✓ 41. Narayana Karupplah.
- ✓ 42. Paper presented by John Jacob Singapore-1.
- ✓ 43. Authority - G.D. Khosla.
- ✓ 44. NIC - Visit to Singapore - October 18 to 23, 1971
List of Witnesses - Programme.
- ✓ 45. List of witnesses in Penang.



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7 DEC 2001

- ✓ 46. Papers relating to Grant of Pension to I.N.A. Personnel.
- ✓ 47. Press clippings from local english papers submitted for Ambassador's perusal.
- ✓ 48. F.No.17/Misc./I.N.A. - The landing of the Japanese Agents from a submarines on the Kathiawar Coast on the night of 22/23 Dec., 1943.
- ✓ 49. F.No.19/Misc./I.N.A. - Dutt Ram (Dulari Dube)- General Mission.
- ✓ 50. F.No.16/Misc./I.N.A. - Statement of H.L. Mehta.
- ✓ 51. F.No.27/Misc./I.N.A. Chalo - Delhi for September, 1944.
- ✓ 52. 295/INA - Sardar Pritam Singh, B.S.D.
- ✓ 53. No.6/Misc./I.N.A. - Short History of subversive activities directed to Indian P.W. in Europe 1940-45.
- ✓ 54. No.243/I.N.A.- Order of Battle of the Indian Puppet forces in Burma.
- ✓ 55. F.No.245/INA Field Propaganda 'Unit' -Parchar Dal.
- ✓ 56. Sardar Pritam Singh B.S.D. No. 295/INA.
- ✓ 57. 250/INA F111 Party. --
- ✓ 58. No.6/Misc./INA Short history of subversive activities. - *Same as S/N-53*
- ✓ 59. No. 22/Misc./INA - A note on Puri Party.
60. Parch No. 21.5.44 - *Same as S/N-30*
- ✓ 61. 29/Misc./INA- Proclamation of the Provisional Government of Azad Hind.
- ✓ 62. Tokyo Papers Exhibit No.9.



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31 DEC 2001

भारत सरकार
GOVERNMENT OF INDIA

गृह मंत्रालय
MINISTRY OF HOME AFFAIRS

अनुभाग
SECTION

File No. 6/7/74 - NC

Volume

NOTES/CORRESPONDENCE

सूचीकृत की गई
Indexed on

प्रकाशक
Initials

अभिलेख क/ख
Record A/B

अभिलेख ग
Record C. Destroy In

अनुयायीय नोट बुक

To be noted In Sectional Note Book
Note to be Noted

अनु. प्र०/ अधीक्षक के अवाक्षर

Initials of S. O/Suptd.

लिपिक के हस्ताक्षर

Initials of Clerk

विषय
Subject

Lok Sabha admitted starred Questions
for 27.3.74 evidence before Netaji
Enquiry Commission by Shri Samar Guha.
Regarding recording of evidence of Habibullah Khan.

1984

में नष्ट की गई

नोट किया जाय

नोट न किया जाय

Previous References

Later References

NETAJI INQUIRY COMMISSION (1970)

200
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Subject:-Admitted Lok Sabha Starred question
D.No. 483 for 27-3-74 regarding recording
the evidence of Col. Habibur Rahman and etc.

.....

The Ministry of Home Affairs have received
Lok Sabha Starred Question D.No. 483 for 27.3.74
by Prof. Samar Guha in regard to the following
questions:-

- (a) Whether any arrangements have been made
(i) for recording the evidence of
Col. Habibur Rhaman, who was reported to
have the only Indian of those days who
accompanied Netaji at the time of alleged
plane crash and (ii) for getting all
relevant documents about Netaji Subhas
Chandra Bose from the Governments of
Japan, U.K., U.S.A., Russia, Burma, Malaya
and China; and
- (b) if so, the facts thereof?

2. A draft reply to the questions is placed
below for approval.

Saty

Reo

Reply be sent to MHA immediately.

AS:

23/3

No.18/22/74-Toll.II
Government of India
Ministry of Home Affairs,
(Grih Mantralaya)

...

New Delhi-110 01, dated 23rd March, 74.

SECRETARY, MINISTRY OF HOME AFFAIRS

The undersigned is directed to invite a reference to the enclosed copy of Starred Question No.463 which is due for oral answer in the Lok Sabha on 27th March, 1974 and to request that material for dealing with this question may kindly be furnished immediately to reach this Ministry by 23rd March, 1974 positively.

J. Srinivasan

(J.Srinivasan)

Under Secretary to the Government of India

To

Mr.S.I.Chopra,
Secretary,
Rajaji Inquiry Commission,
Reserve Bank Building,
New Delhi.

to reply may
not be tomorrow
the
27/3

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MINUTES FOR SABHA DEBATED QUESTION FOR 27.3.1974

EVIDENCE BEFORE NETAJI INQUIRY COMMISSION

433. SRI BAIJAN GUIN :

Will the Minister of HOME AFFAIRS
be pleased to state :

- (a) whether any arrangements have been made (i) for recording the evidence of Col. Habibar Rahman, who was reported to be the only Indian of those days who accompanied Netaji at the time of alleged plane crash and (ii) for getting all relevant documents about Netaji Subhas Chandra Bose from the Governments of Japan, U.C., U.S.A. Russia, Burma, Malaya and China; and
- (b) if so, the facts thereof?

NETAJI INQUIRY COMMISSION (1970)

Will the Ministry of Home Affairs kindly refer to their U.O. No. 18/23/74-Poll-II dated March 22, 1974 regarding the Lok Sabha Starred question D.No. 483 regarding the evidence of Col. Habibur Rahman and etc.?

2. The Commission's reply is as under:- REPLY

(a) Whether any arrangements have been: It is for the made (i) for recording the evidence of Government to Col. Habibur Rahman, who was reported reply. to be the only Indian of those days who accompanied Netaji at the time of alleged plane crash and (ii) for getting all relevant documents about Netaji Subhas Chandra Bose from the Governments of Japan, U.K., U.S.A., Russia, Burma, Malaya and China; and

(b) if so, the facts thereof? : Please see supplementaries.

upma
(S.L.CHOPRA)
SECRETARY

MINISTRY OF HOME AFFAIRS (Shri J. Srinivasan, Under Secy)
Netaji Inquiry Commission's U.O.No.6/7/74-NC dated
March 23, 1974

med
Re
23/3/74

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NOTE FOR SUPPLEMENTARIES

Netaji Inquiry Commission (1970) headed by Justice G.D. Khosla, retired Chief Justice of the Punjab High Court, was set up on July 11, 1970 vide Government of India Notification No. 25/14/70-Poll-II with the following terms of the reference:-

" to inquire into all the facts and circumstances relating to the disappearance of Netaji Subhas Chandra Bose, in 1945 and the subsequent developments connected therewith and made its report to the Central Government."

Since then the Commission has so far examined 224 witnesses and recorded their evidence in the country as well as abroad. The Commission visited Japan, Burma, Thailand, Singapore, Malaysia, South Vietnam and Formosa (Taiwan). The Commission concluded its visit to Taiwan in July, 1973.

The Commission started its arguments session from September 10, 1973 and arguments were heard from day to day. The arguments concluded on March 14, 1974. The term of the Commission has been extended from time to time and the present term is up to March 31, 1974. The Commission would take some time to submit its report to the Government of India for which further extension of the term of the Commission is being sought for, from the Government.

As regards recording the evidence of Col. Habibur Rahman, who was reported to be ^{the} only Indian of those days who accompanied Netaji Subhas Chandra Bose at the time of alleged plane crash, it may be stated that

(P.T.O.)

24/4/73


~~It may be stated~~ that Col. Rahman did not appear before the Netaji Inquiry Commission. Shri D.K. Das, former Secretary of the Commission, had written to Shri T.R. Agnani, Under Secretary (Political) vide his D.O.No. 4/18/70-NC dated 27th November, 1970 requesting for arrangements to be made by the Government for recording the evidence of Col. Rahman, who was reported to be in Pakistan. Shri Agnani replied to Shri Das vide his D.O.No. 25/52/70-Poll-II dated 27th March, 1971 enclosing a copy of a communication dated March 9, 1971, from the Ministry of Foreign Affairs, Islamabad wherein it was indicated that Mr. Habibur Rahman was not anxious to appear before the Netaji Inquiry Commission as he had already given his evidence before the Shah Nawaz Khan Committee in New Delhi. A copy of this letter is enclosed.

As regards relevant documents obtaining and production thereof before the Netaji Inquiry Commission by the Government. It may be mentioned that the affidavits dated 6th June, 1972 and 22nd January, 1973 filed by Shri R.C. Iyer, Under Secretary, (~~Political~~) Poll-II; and the affidavits dated 11th September, 1973 and December 1, 1973 filed by Shri Asok Gupta, Under Secretary (~~Political~~) Poll-II show ~~xxx~~ that the Government had made a correspondence

with their High Commission/^{Embassies} in London, U.S.A.,
Moscow and Japan for obtaining certain documents
concerning the alleged ~~xxxx~~ death of Netaji
Subhas Chandra Bose by a plane crash.

There does not seem to be any information
available with us whether any arrangement for
obtaining relevant documents about Netaji Subhas
Chandra Bose were made by the M.H.A. or the M.E.A.
from the Government of Burma, Malaya and China.
Ministry of External Affairs may be in a better
position to throw ^ulight on this point.

The copies of the affidavits and other relevant
correspondance will the available with the M.H.A.,
which may be seen.

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COPY OF THE LETTER No.1/35/70-I(V)
DATED MARCH 9,1971 RECEIVED FROM
THE MINISTRY OF FOREIGN AFFAIRS,
ISLAMABAD.

.....

No. 1/35/70-I(V)

March 9,1971

The Ministry of Foreign Affairs presents its compliments to the High Commission of India in Pakistan and with reference to High Commission's Note No. ISL(POL)-501/2/68, dated the 22nd January, 1971 has the honour to say that Mr. Habibur Rahman who was contacted in the matter has stated that he has nothing to add to what he had already said in his evidence before the Shah Nawaz Committee in New Delhi in 1956, about Mr. Subhas Chandra Bose's death by accident. He, therefore, is of the opinion that no purpose would be served by his going to New Delhi or by the visit of the Enquiry Commission to Pakistan.

The Ministry avails itself of this opportunity to renew to the High Commission the assurances of its highest consideration.

SEAL

MINISTRY OF FOREIGN AFFAIRS

ISLAMABAD

The High Commission of India,
in Pakistan,
ISLAMABAD.

TRUE COPY

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

Fax : 0091-033-252-2765

e-mail : jmcinsecb@cal.3.vsnl.net.in

NO. JMCI/Stat.Rept./Compliance/2003/87/577. Kolkata, dated, 5th March '03.

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

S i r,

I am directed to request you to kindly ensure strict compliance of the Commission's order as contained in the Commission's registered letter no. JMCI/Stat.Rept./99-2000/33A/453(6) dated 9/11th December, 2002 addressed to you enclosing a copy of the Commission's Status Report from 01.11.2002 to 30.11.2002 with the request to send to the Commission within six weeks the replies/reports in respect of the paras concerning your Ministry, supported by an affidavit, duly sworn by a Competent Officer not below the rank of Joint Secretary to the Government of India.

I am further directed to request you to kindly arrange to ensure strict compliance also with all similar orders to be passed in future.

Incidentally, I am directed to point out that Shri M.S. Zuha, Desk Officer, Ministry of Home Affairs, in his letter dated February, 03 (sic.) has stated that the position of the matters of the Status Reports for the months of November and December, 2002 has been examined and he has enclosed an unsigned Status Note, without putting any date thereof and without disclosing who has examined the matter or whether the matter was examined by duly authorised officer of the Ministry and whether Shri Zuha has been directed to write the letter on behalf of the Ministry.

Yours faithfully,
(P.K. Sengupta)
Secretary

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[Signature]

BY FAX
(FAX No. 033-8371631)

No.I/12014/13/2000-IS(V)
Government of India
Ministry of Home Affairs
.....

New Delhi dt. .3.03

To

The Secretary
Justice Mukherjee Commission of Inquiry
Netaji Subhas Chandra Bose
'B' Block (3rd floor), 11/A Mirza Ghalib Street
Kolkatta 700087

Sir,

I am directed to refer to your letter No.JMCI/Stat.Rept./Compliance/2003/87/577 dated 5th March 2003 and to inform you that the status reports dated 13.2.03 sent by Shri M.S. Zuha, Desk Officer, Ministry of Home Affairs indicating the factual positions of those documents sought by the Commission time and again had ^{been} the approval of JS(IS).

So far as authority of D.O in the Ministry of Home Affairs is concerned, the Commission is informed that as per the **Authentication (Orders and other Instruments) Rules 1958**, ^{inter-alia states} **Orders** and other Instruments made ^{and} executed in the name of the President may be authenticated by the signature of Director, Section Officer (Special) and Desk Officer in the Ministries, Departments, Secretariats and Offices specified in the first schedule in the Govt. of India (Allocation of Business) Rules, 1961."

Yours faithfully,

(U.K. KALRA)
DIR(IS-II)

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BY FAX
(FAX No. 033-8371631)

No.I/12014/13/2000-IS(V)
Government of India
Ministry of Home Affairs
.....

New Delhi dt. 2.4.03

To

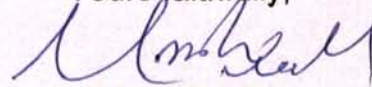
The Secretary
Justice Mukherjee Commission of Inquiry
Netaji Subhas Chandra Bose
'B' Block (3rd floor), 11/A Mirza Ghalib Street
Kolkatta 700087

Sir,

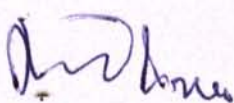
I am directed to refer to your letter No.JMCI/Stat.Rept./Compliance/2003/87/577 dated 5th March 2003 and to inform you that the status report dated 13.2.03 sent by Shri M.S. Zuha, Desk Officer, Ministry of Home Affairs indicating the factual position of those documents sought by the Commission time and again was issued with the approval of JS(IS).

So far as authority of D.O in the Ministry of Home Affairs is concerned, the Commission is informed that as per the **Authentication (Orders and other Instruments) Rules 1958**, inter-alia states that " Orders and other Instruments made and executed in the name of the President may be authenticated by the signature of Director, Section Officer (Special) and Desk Officer in the Ministries, Departments, Secretariats and Offices specified in the first schedule in the Govt. of India (Allocation of Business) Rules, 1961."

Yours faithfully,


(U.K. KALRA)
DIR(IS-II)

please issue
D
2/4



REGISTERED WITH A/D.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinsecb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

No. JMCII/Records/N.Delhi/99-2000/37(III)/451 Kolkata, dated, **05.12.2002.**

**From : Shri M. Roy, IAS (Retd.),
Officer on Special Duty**

**To : The Director (IS),
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.**

S i r,

I am directed to refer to the Cabinet Secretariat's letter No.281/12/1/2000-TS dated 13.11.2002 (copy enclosed) sent to the Commission, indicating therein the action taken at their end as to furnishing of documents bearing Nos.

i) PMO F.No. 12(226)-56/PM, ii) F.No. 10/22/CF-68, iii) F.No.6/5/9/77-CF, iv) F.No.10/21/CF-68, v) F.No. 6/1/6/74-CF, and vi) F.No. 6/5/1/91-TS, out of which the documents mentioned against Sl. Nos. ii) to vi) are stated to have been sent by the Cabinet Secretariat to the Ministry of Home Affairs, ^{with} a request to send those documents to the Commission.

I am, therefore, directed to request you kindly to send to the Commission the aforesaid documents ~~to~~ as expeditiously as possible.

Yours faithfully,

(M. Roy)

Officer on Special Duty

Encl : As stated above.

12/12
12/12
1837 / Dir (IS-I) or
13/12
Director (IS-I)

Mr N.
13/12
DD (Censor)

मंत्रिमण्डल सचिवालय
राष्ट्रपति भवन, नई दिल्ली-110004
CABINET SECRETARIAT
RASHTRAPATI BHAVAN, NEW DELHI-110004



No. 281/12/1/2000-TS

तारीख

December 13, 2002.

To,

Shri P.K. Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block, (Third Floor),
11/A, Mirza Ghalib Street,
Kolkata.

Subject:- Documents relating to investigation into the circumstance leading to the death of Netaji Subhas Chandra Bose.

Sir,

I am directed to refer to Justice Mukherjee Commission of Inquiry letter No. JMCI/Records/N.Delhi/99-2000/37(III)/374 dated 10th October, 2002, addressed to the Secretary, Cabinet Secretariat (Main), New Delhi, requesting to indicate the action taken on the Commissions letter Nos. JMCI/Meeting-pros (Follow up)/N.Delhi/48(Vol.III)/266 & JMCI/Meeting-pros(Follow up)/N.Delhi/ 48(Vol.III)/264 dated 20th August, 2002 addressed to the Secretary, Cabinet Secretariat, Bikaner House, New Delhi.

2. In their letters referred to above, the Commission had requested for the following documents:-

- i) PMO F.No. 12(226)-56/PM
- ii) F.No. 10/22/CF-68.
- iii) * F.No. 6/5/9/77-CF. ✓
- iv) F.No. 10/21/CF-68. → C.D. dt 6/3/00 reg. fresh copy *
- v) * F.No. 6/1/6/74-CF. → C.D. dt. 29/8/04 reg. one-man commission
- vi) * F.No. 6/5/1/91-TS. → C.E.A. dt 27/2/91 reg. arshes

3. Document at Sl. No. (i) above had already been sent to the Commission directly vide this Secretariat letter No. 281/12/2/99-Cab dated 28.8.2000. As regards the remaining documents, these were forwarded to Shri V.P. Bhatia, Under Secretary, MHA vide this Secretariat note of even number dated 10.11.2000 with a request to furnish these documents to the Commission. This position was communicated to the Commission vide our letter of even number dated 19.9.2001. Hence, no action is pending in respect of the Commission's letters referred to in para 1 above. However, a copy of this letter is being sent to MHA again with a request to send the documents [Sl. Nos. (ii) to (vi) mentioned at para 2 above] immediately if it is not already sent.

Yours faithfully,

(Shatrughna Singh)
Director

X available in file No. 29/48/89-Poll II
has not become available but
contents of the cab. note has been
declassified

Conting. cal. Decim
on 17/9/77.
for a fresh copy.
12014/6/90

F. 1/12014/9/77-211.
F. 1/12014/6/9015-211
F. 31/2/74-Poll II

- ① F.No. 10/22/CP-68 regarding issue of commemorative stamps
coins of Netaji on 21.10.68 on the occasion
p. 248/ur. of the silver jubilee - M/O Finance.

✓ 2 W.C. 6/5/9/77 CR → Backgrd note in PND,
C.D. dt. 12/9/77 1/12014/9/20-DMS dt-
12/11.77

3 10/21/CP-68- Backgrd note 29/48/69 Poller not available.
C.D. dt. 6/3/70 dt 18/2/70 p. 250/ur.

✓ 4 W.C. 6/1/6/74 - CR. Backgrd note no. 31/2/74 - Poller (DMS)
C.D. dt. 29/8/74 dt. 27/8/74.

✓ 5 W.C. 6/5/1/91-TS- Backgrd note no. 1/12014/6/90-LS DMS.
CCPA. dt. 22/2/91. dt 16/5/94.

**Ministry of Home Affairs
IS(D.V)**

.....

**Subject: Justice Mukherjee Commission of Inquiry into the alleged
Disappearance of Netaji Subhas Chandra Bose.**

Department of Economic Affairs may please refer to this Ministry's I.D.Note of even number dated 8th November, 2000 (copy enclosed) and subsequent reminder dated 24/11/2000 and 19/12/2000 regarding de-classification of Cabinet Note No.1/18/68-Coin dated 17.5.1968 on 'Issue of commemorative stamps/coin of Netaji Subhas Chandra Bose on 21.10.1968 on the occasion of the silver Jubilee of the founding of the Azad Hind Government.

As the above note was submitted to the Cabinet Sectt. which was subsequently circulated vide that Secretariat O.M.No.14/CM/68 dated 24.5.1968 on the above issue. The Cabinet Sectt has suggested this Ministry to take up the matter with the Deptt. of Economic Affairs about declassification of these documents.

Since the instant note was originated from the D/o Economic Affairs, it may kindly be confirmed whether the said Cabinet note can be de-classified. If so, the above documents duly authenticated may be made available to the Commission under intimation to this Ministry..


(M.S. ZUHA)
DESK OFFICER

Department of Economic Affairs (Miss Aprajita Chowdhury, Under Secretary (Coins),
North Block, New Delhi

MHA I.D.Note No.I-12014/13/2000-IS(V) dated 7.4.03

Copy to: The Secretary, Justice Mukherjee Commission of Inquiry, Netaji Subhas Chandra Bose, 'B' Block (3rd floor), 11/A Mirza Ghalib Street Kolkatta 700087 w.r.t documents mentioned at Sl.No. (ii) File No.F.10/22/CF/68 vide their letter No.JMCI/Records/N.Delhi/99-2000/37(III)/451 dated 5.10.02 alongwith the copy referred to above.



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Time Bound.

Government of India
Ministry of Home Affairs
IS-I Division

Subject: **Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose.**

As the Department of Economic Affairs might be aware, a Commission of Inquiry headed by Justice M.K. Mukherjee, a retired Judge of the Supreme Court of India is presently inquiring into the alleged disappearance of Netaji Subhas Chandra Bose. In its recent hearings, the Commission has directed the Government of India to produce before the Commission relevant documents relating to the Netaji and the Indian National Army (INA). As most of these documents/material are highly sensitive and classified, a view is being taken by the concerned Departments about declassification of the same.

2. A reference from the Cabinet Secretariat suggests that a background note bearing No.1/18/68-Coin dated 17.5.1968 was submitted by the Department of Economic Affairs for consideration of the Cabinet which was circulated vide that Secretariat OM No.14/CM/68 dated 24.5.1968. This note was regarding issue of commemorative stamps/Coins on Netaji Subhas Chandra Bose on 21.10.1968 on the occasion of the Silver Jubilee of Azad Hind Government. The Cabinet Secretariat has suggested this Ministry to take up the matter with the Department of Economic Affairs about declassification of these documents.

3. As these documents are to be produced before the said Commission **on or before 15.11.2000**, it is requested that the considered views of the Department of Economic Affairs on declassification or otherwise of the same may please be furnished to this Ministry **immediately**.

(V.P.BHATIA)

Under Secretary to the Govt. of India.

The Department of Economic Affairs (Shri M.P. Singh, US(Coins)).

MHA ID Note NO.I.12014/13/2000-IS(D.III) Dated, the 8th Nov., 2000.

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JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinscb@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

No. JMCI/Stat.Rept./99-2000/33A/534(7).

Kolkata, dated, 10th Feb. '03.

From : Shri M. Roy, IAS (Retd.),
Officer on Special Duty

- To :
- 1) The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.
 - 2) The Secretary,
Ministry of Defence (History Division),
Government of India,
South Block,
New Delhi-110001.
 - 3) The Secretary,
Ministry of Information & Broadcasting,
Government of India,
Akashbani Bhavan,
Parliament Street,
New Delhi-110001.
 - 4) The Secretary,
Prime Minister's Office,
South Block,
New Delhi-110001.
 - 5) The Secretary,
Ministry of External Affairs,
Government of India,
South Block,
New Delhi-110001.
 - 6) The Secretary,
Cabinet Secretariat,
Government of India,
Rashtrapati Bhavan,
New Delhi-110004.
 - 7) The Director,
Intelligence Bureau,
Government of India,
Ministry of Home Affairs,
North Block,
New Delhi-110001.

Sub : Status Report from 01.01.2003
to 31-01.2003.

Ref : Your Office Letter No.1/12014/
I/2000-IS(D.III) dt. 07.02.2000.

Sir,

I am directed to forward herewith a 'Status Report'
of the Secretary of Justice Mukherjee Commission of Inquiry,
for favour of taking necessary action at your end.

Encl : As stated above.

Yours faithfully,

(M. Roy)
Officer on Special Duty

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Justice Mukherjee Commission of Inquiry
For Inquiry into the Alleged Disappearance of
Netaji Subhas Chandra Bose
'B' Block, (3rd floor)
11/A, Mirza Ghalib Street, Kolkata-700 087.

STATUS REPORT

(From 01.01.2003 to 31.01.2003)

- 12/13/
1. This Status Report is in continuation of the earlier Status Report forwarded under Commission's Registered letter No. JMCI/Stat.Rept./99-2000/33A/503(7) dated 13.01.2003 to the Secretaries, Ministry of Home Affairs, Ministry of Defence (History Division), Ministry of Information and Broadcasting, Prime Minister's Office, Ministry of External Affairs, and Cabinet Secretariat, as also to the Director, Intelligence Bureau, Government of India, for favour of taking necessary action at their end.
 - MA 2. The Commission has been persistently asking the Ministry of Defence, Government of India, for their affidavit on existence/non-existence/availability/non-availability, etc. of the complete records of the proceedings of the trial of the I.N.A. personnel which is yet to be received.
 - MA 3. Xerox copies of Prime Minister Office's letter No.915/11/C/2/2000-Pol. dated 11.07.2002 and the Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/132 dated 21.06.2002 were sent to the Joint Secretary (CNV), Ministry of External Affairs, Government of India, with Commission's registered letter No. JMCI/Records/N.Delhi/99-2000/37(III)/315 dated 06.09.2002 wherein he was requested to kindly send immediately a true copy of the entire note dated 30.09.1993 of Shri A.K. Sinha, Under Secretary, A.P. submitted to J.S., A.P. which is available in the Ministry of External Affairs, as stated in the aforesaid letter dated 11.07.2002 of the Prime Minister's Office. The document called for is yet to be located by the Ministry of External Affairs, Government of India, and sent by them to the Commission.

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replied

4. With Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/372 dated October 10, 2002 addressed to the Secretary, Ministry of Home Affairs, Government of India, xerox copies of Prime Minister Office's letter No.915/11/C/2/2002-Pol. dated 3rd/5th September, 2002 addressed to the Commission, P.M.O.'s U.O. No.PMS-307 dated 05.01.1974 sent to Shri T.C.A. Nivasavardan, Additional Secretary, Ministry of Home Affairs, Government of India, and d.o. letter No.24/27/71-Pol.II(D.III) dated May 3/4, 1974 of the Home Minister addressed to Samar Guha, M.P. were enclosed and the Secretary, Ministry of Home Affairs was requested to kindly furnish to the Commission immediately the details of documents which could be secured by the Government of India and supplied to the Khosla Commission as also the particulars of the documents which could not be secured by them because of their non-availability along with authenticated xerox copies of different affidavits of the Ministry of Home Affairs filed before the Khosla Commission in the matter and of the reply given by the Home Minister in the Lok Sabha on 27th March, 1974 as stated in the aforesaid d.o. letter dated 3/4 May, 1974 of the Home Minister addressed to Shri Samar Guha, M.P. He was further requested to kindly send immediately an authenticated xerox copy of the reply, if any, given by the Ministry of Home Affairs to Shri Samar Guha as requested in para 4 of the aforesaid P.M.O.'s U.O. Note No.PMS-307 dated 05.01.1974. The reports/particulars/documents as called for from the Ministry of Home Affairs are still awaited.

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5. The Secretary, Prime Minister's Office has been requested by Commission's letter No.JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(III)/188 dated July 12, 2002 to furnish the Commission immediately with the documents mentioned against four Com. Nos., viz., com. 11, 30(R)(2), 30(S)(2), and 30(V)(I), since those documents do not appear to have been submitted to the Commission as yet which is supposed to be done by the Prime Minister's Office as mentioned in the

3rd para of the d.o. letter No.IV/8(66)/2001-2184 dated 12.12.01 of Shri Sanjoy Sinha, Joint Director, IB, Govt. of India, addressed to the Secretary of the Commission, a xerox copy of which has been enclosed with the aforesaid letter dated 12.07.02 of the Commission. A xerox copy of the list of exhibits marked as "Com. No." of Justice Khosla Commission of Inquiry was sent to the Director, Prime Minister's Office by Registered Post with Commission's letter No.502 dated January 10, 2003 as desired by the Prime Minister's Office in their letter No.915/11/C/2/2000-Pol. dated January 2, 2003. The documents called for are still awaited.

6. The Secretary, Ministry of Home Affairs, Govt. of India, has again been requested by Commission's registered letter No.JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(III)/121 dated June 14, 2002 to send immediately authenticated true copies of the papers/documents concerning Sl.Nos.(ii),(iii),(iv),(v), & (vi) of para 1 of the letter No.281/12/1/2000-TS dated September 19, 2001 of the Cabinet Secretariat, Govt. of India, addressed to the Commission which indicates that those papers/documents have been sent to the M.H.A. by the Cabinet Sectt. A copy of the said letter of the Cabinet Sectt. has been enclosed with the Commission's aforesaid letter dated June 14, 2002. A self-contained reminder was sent by Registered Post to the Secretary, Ministry of Home Affairs by the Commission's letter No.339 dated 24.09.02. The reply given by the Ministry of Home Affairs in their letter No.1/12014/13/2000-IS(D.V.) dated January 2, 2003 in the matter is being considered in the light of other relevant materials available on records.

7. Under Commission's registered letter No.JMCI/Records/N.Delhi/99-2000/37(III)/236(3) dated August 1, 2002, the Secretaries, Prime Minister's Office, Ministry of Home Affairs, and Ministry of External Affairs, Govt. of India, have been furnished with xerox copies of the d.o. letter dated January 3, 1974 of Shri Samar Guha, M.P. addressed to Smt. Indira Gandhi, the then Prime Minister of India and of the reply thereto dated January 9, 1974 given by Smt. Indira Gandhi to Shri Samar Guha and they have been requested to kindly send immediately to the Commission authenticated true copies of all the documents, copies of which were lying in P.M.O.'s File No.12(226)/56-PM since destroyed, as also authenticated true copies of all those files which contain the said documents, the copies of which were lying in the said destroyed

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file as stated by the then Prime Minister in her aforesaid d.o. letter dated January 9, 1974. The M.E.A. has stated in reply that the said documents belong to the files of the Prime Minister's Office. No reply of the Ministry of Home Affairs appears to have been received in the matter. The P.M.O. in their letter No.915/11/C/2/2000-Pol. dated 3rd/5th September, 2002 has referred to Commission's letter No. 228 dated 30.07.02 and Commission's aforesaid letter No.236(3) dated August 1, 2002 and has sent a reply to Commission's aforesaid letter No.228 dated 30.07.02 while their purported reply to Commission's letter No.236(3) dated August 1, 2002 is not compatible with the contentions of d.o. letter No.11-PMO/74 dated January 9, 1974 of Smt. Indira Gandhi, the then Prime Minister, addressed to Shri Samar Guha, M.P., a xerox copy of which was enclosed with Commission's aforesaid letter No.236(3) dated August 1, 2002. Besides, the said reply of the Prime Minister's Office to Commission's aforesaid letter dated August 1, 2002 adduces ~~no~~ cogent reason for their inability to send their documents called for by the Commission in its letter No.236(3) dated August 1, 2002.

8. The Secretary, Ministry of Home Affairs, Government of India, has been requested by Commission's registered confidential letter No. JMCI/Records/2000-01/37(II)/533 dated January 28, 2002 to let the Commission know what was the outcome of the action, if any, taken on U.O. No.800/6/C/I/90-Pol. dated September 21, 1990 of the Prime Minister's Office addressed to Shri Naresh Chandra, the then Home Secretary, Government of India, wherewith a copy of the letter dated September 13, 1990 of Shri Amiya Nath Bose addressed to Shri V.P. Singh, the then Prime Minister of India and of the enclosure thereto which is a xerox copy of the news titled, "Fresh Clue on Netaji's Death" published in the 'Times of India' (New Delhi) dated September 3, 1990 were sent to the Home Secretary, Government of India, for appropriate action. It has also been stated in the said letter dated 28.01.2002 of the Commission that the said letter dated September 13, 1990 of Shri Amiya Nath Bose

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with its enclosure and the said U.O. Note dated September 21, 1990 of the Prime Minister's Office are available in File No.800/6/C/I/90-Pol. of the Prime Minister's Office, on the subject, "Netaji Subhas Bose - Bringing in the ashes of". A self-contained reminder has been sent to the Secretary, Ministry of Home Affairs by Registered Post vide Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/195 dated July 22, 2002. The reply of the Ministry^{of Home Affairs} is still awaited.

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Already replied.
p351/vol II
9.(a) By Commission's registered letter No.310 dt. 06.09.2002, the attention of the Secretary, Ministry of Home Affairs Government of India was drawn to Commission's registered letter No.JMCI/Records/N.Delhi/99-2000/37(III)/201 dated 27.07.2002 and he was requested to report to the Commission immediately the details of action taken on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P., Lok Sabha, addressed to the then President of India and the outcome thereof. The said letter of Shri Sondhi was sent by the Prime Minister's Office to the Ministry of Home Affairs under the former's U.O. No.2(64)/56-70-PM dated October 22, 1970 for such action as was considered appropriate. A copy of the said letter dated 15.10.1970 was also enclosed with the Commission's registered letter No.JMCI/Records/N.Delhi/99-2000/37(II) 608(2) dated March 14, 2002 sent earlier to the Ministry of Home Affairs in the matter. The report ~~a~~ called for from the M.H.A. is still being awaited.

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(b) By Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/226(2) dated July 30, 2002 the reports were called for from the Ministry of External Affairs and the Prime Minister's Office regarding the action taken by them on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P., Lok Sabha, addressed to the then President of India as mentioned hereinbefore. In reply, the Prime Minister's Office has requested the Commission by their letter No.915/11/C/2/2000-Pol. dated August 27, 2002 to approach the Ministry of Home Affairs and the Ministry of External Affairs in the matter. The report called for has not been received from the Ministry of External Affairs [and also from the Ministry of Home Affairs as already stated].

10. By d.o. letter No.JMCI/Records/99-2000/37(III)/359 dated October 3, 2002 of the Secretary of the Commission addressed to the Secretary, Ministry of Information and Broadcasting, Government of India, the attention of the latter was drawn to a special message from Netaji Subhas Chandra Bose of the Provincial Government of Azad Hind (Singapore) broadcast on 31.42 Metres in 2115-25 hrs. daily "commentry in English" on August 18, 1945 which appears to have been monitored by the monitoring service of all India Radio, Simla, and presented to the National Archives of India by the Publication Division of the Ministry of Information and Broadcasting. A copy of the said message has been enclosed with the said d.o. letter dated October 3, 2002 for ready reference. The Secretary of the Ministry of Information and Broadcasting was requested to throw some light on the points whether the message was live and a direct broadcast or whether the broadcast was of a pre-recorded message/speech of Netaji. The response of the said Ministry in the matter is still awaited.

11. By Commission's registered letter No.JMCI/Study(PMO)- Follow Up/2002-2003/84/257 dated August 14, 2002, read with its registered letter No.JMCI/DOC(FOR)/99-2000/56(IV)/348 dated 27.09.02, the Ministry of External Affairs, Government of India, has been requested to kindly send immediately a complete list of the names and addresses of all the Archives in Russia as also in other States which previously belonged to erstwhile USSR. We have received a list of 9 (nine) archives in Russia from the Ministry of External Affairs, Government of India, with their d.o. letter No.24/4/NGO-Vol.VIII dated October 21, 2002 but the complete list as called for is still awaited.

12. The Secretary, Ministry of External Affairs was requested by Commission's registered letters dated August 1, 2002 and dated 27.09.2002 to kindly provide the Commission with the particulars of the US documents on Netaji Subhas Chandra Bose pertaining to the period from August, 1945 onwards, if any, which are available in the National Archives of the U.S.A. and x Records Administration, Maryland, U.S.A. as also in

other archives of the U.S.A. including Mac Arthy Archives, the Archives of the Princeton University, Hoover Institution, Standford, U.S.A. etc. The response is still awaited.

- Cab. Sectt.*
13. The letter No.281/12/1/2000-TS dated November 13, 2002 of the Director, Cabinet Sectt., Rashtrapati Bhavan, New Delhi, which is in reply to Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(III)/374 dated October 10, 2002 addressed to the Secretary, Cabinet Sectt., Rashtrapati Bhavan, New Delhi, does not contain the information about the Department/Ministry/Office, out of which the Cabinet Sectt. was formed or about the Department/Ministry/Office of the Government of India which used to look after the works now being looked after by the Cabinet Sectt., Rashtrapati Bhavan and the Cabinet Sectt., Bikaner House Annexe, New Delhi, as called for. The said information is still awaited.

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P.198/cor.*
14. By Commission's registered letter No.JMCI/Records/N.Delhi/99-2000/37(III)/235 dated August 1, 2002 the Secretary, Ministry of Home Affairs was requested to report to the Commission immediately what action was taken on the P.M.O.'s endorsement No.870/11/P/10/93-Pol. dated 08.04.93 to the Home Secretary, New Delhi, wherewith copies of the letter dated March 22, 1993 of Dr. Shankar Dayal Sharma, the then President of India, along with a copy of the letter dated March 13, 1993, jointly authored by Shri Triguna Sen, Shri Amiya Kumar Mazumder, and Shri Autobinda Nath Bose, some of the distinguished citizens of Calcutta, addressed to the President of India, were forwarded to the Home Secretary, New Delhi, for appropriate action, as also to report what was the outcome of the said action. The Ministry of Home Affairs have stated inter alia in their letter No. I/12014/13/2000-IS(V) dated 24.10.2002 received by the Commission on 30.10.2002 that the matter was referred to the Ministry of External Affairs for appropriate action.

The Ministry of External Affairs in their letter No. 25/4/NGO-Vol.VIII dated January 1, 2003 has stated inter alia that the letter dated 22.03.93 of Dr. S.D. Sharma, the then President of India, could be located in the records of the Ministry of External Affairs and that no ~~fix~~ follow up action was taken on it.

15. To Expedite matters, the Hon'ble Chairman went to Delhi on 28.10.2002 and met the Hon'ble Minister of External Affairs, Government of India. He requested the Hon'ble Minister to persuade the Government of the U.K. to declassify all relevant classified British documents and to take all steps in terms of the d.o. letter No.25/4/NGO-Vol.VI dated 26.09.2001 of the then Hon'ble Minister of External Affairs. Apropos the said discussion, the Commission's letter No.398 dated 11.11.2002 was sent by Speed Post to the Ministry of External Affairs, Government of India, with the request to take appropriate action in the matter. The Hon'ble Minister of External Affairs, Government of India, in his d.o. letter dated 13.11.2002 addressed to the Hon'ble Chairman has stated inter alia : ".....since the Commission feels that these papers (i.e. classified British records on Netaji Subhas Chandra Bose) could be of vital importance with reference to its mandate, we have again taken up the issue of their release with the British Government and would keep you informed of the outcome in this regard.

I would like to take this opportunity to reassure of all possible assistance from our side to facilitate the inquiry of the Commission."

Further development in the matter is still awaited.

16. Notwithstanding the statement made by Late Morarji Desai, the then Prime Minister of India, in the Lok Sabha on 28.08.1978 regarding the availability of "further contemporary official documentary records", no such records could be located by the Prime Minister's Office, the Cabinet Sectt., and the Ministry of External Affairs, as reported by them. The said reports would be considered by the Hon'ble Chairman at the appropriate stage to express

his views thereon. The report called for in the matter from the Ministry of Home Affairs by Commission's Registered letter No. JMCI/Records/N.Delhi/99-2000/37/177 dated 29.06.2001 has not yet been received inspite of several reminders.

17. On being requested by the Commission, the Indian Embassy in Japan has agreed on December 27, 2002 to solicit the services of an expert to re-examine the bones allegedly of Netaji Subhas Chandra Bose kept in Renkoji temple "to seek his opinion on whether any material exists from which D.N.A. may be isolated for the purpose of a D.N.A. test." Further development in the matter is awaited.

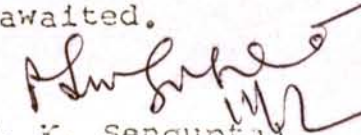
18. Shri Nandalal Chakraborty, one of the deponents of the affidavit No. JMCI/11, in his letter dated 01.11.2002 addressed to the Secretary of the Commission, has requested the Commission to visit the USA, the UK, and Germany for reasons mentioned therein. A copy of the said letter has been sent to the Ministry of External Affairs, Government of India, in continuation of the Commission's letter No. 398 dated 11.11.2002 ~~as referred to above~~ ~~hereinbefore~~ with the request to act accordingly. The reply of the Ministry of External Affairs in the matter is still awaited.

19. Some handwritings allegedly of 'Gumnamī Baba' were made over to the Government Examiner of Questioned Documents, Bureau of Police Research and Development, Ministry of Home Affairs, Government of India, Simla, on 02.09.2002 along with some admitted specimens of the handwritings of Netaji Subhas Chandra Bose for examination of the said questioned handwritings by comparing with the said admitted specimens of handwritings. The sealed report of the said Government Examiner has been collected and brought to the office of the Commission on 25.11.2002. The aforesaid two sets of handwritings have been made over to another competent handwriting expert in the last week of December, 2002. The report of the second handwriting expert is yet to be received. On receipt of which the relevant documents will be referred to third handwriting expert.

20. Shri Dwaraka Nath Bose, son of Netaji's elder brother, Late Sunil Chandra Bose, has conveyed in writing his willingness to donate his blood sample of 1 ml. for the purpose of proposed D.N.A. test. The Commission is still making efforts to collect the names and addresses of other eligible donors, if any, of Netaji's family and it is taking steps for arrangements of D.N.A. tests of the blood samples of willing eligible donors of Netaji's family. Shri N.K. Panja, Principal Private Secretary met Dr. S.E. Hasnain, Director, Centre for DNA Finger Print and Diagnostics in Hyderabad on 23rd January, 2003 to discuss the modalities of collection of blood samples for DNA test as also to collect the Test Tubes and Syringes from him for the purpose.

21. The hearing of the Commission was held on January 9, 2003 in Annexe Building, Mahajati Sadan, Kolkata, on the contents of the paragraph 7(a) of the Status Report as on 28.11.2002, copy of which was sent to the authorities concerned with Commission's Registered letter No.503(7) dated 13.01.2003.

22. The Secretary, Ministry of External Affairs, Govt. of India, has been requested by the Commission's registered letter No. JMCI/CPDC/2000/432 dated November 27, 2002 to kindly persuade the Government of Japan to get from the Government of Taiwan the original Register of Cremation Permits for the period from 18.08.1945 to 21.08.1945, the original application for cremation Permit allegedly filed on 18.05.1945 in the name of Chandra Bose or Subhas Chandra Bose, the original application for Cremation Permit, if any, filed on 18.08.1945 or 19.08.1945 in the name of Ichiro Okura, the original Death Certificate allegedly issued in the name of Subhas Chandra Bose or Chandra Bose and the original Death Certificate, if any in the name of Ichiro Okura, since the Commission is essentially required to have an access to those documents in view of the facts and circumstances stated in the aforesaid letter dated November 27, 2002 of the Commission. A copy of the said letter along with copies of the enclosures thereto has also been sent to the Joint Secretary (IS), Ministry of Home Affairs, Government of India, on November 27, 2002 by Registered Post. Their response is still awaited.


(P. K. Sengupta)
Secretary

REGISTERED WITH A/D

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Fax : 0091-033-252-2765

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinscb@cal.3.vsnl.net.in

NO. JMCI/ Stat.Rept./99-2000/33A/585(7)

Kolkata, dated, 07.03.2003.

From : Shri M. Roy, IAS (Retd.),
Officer on Special Duty

- To: 1) The Secretary,
Ministry of Home Affairs, Govt. of India,
North Block, New Delhi-110001.
- 2) The Secretary,
Ministry of Defence (History Division),
Government of India, South Block,
New Delhi-110001.
- 3) The Secretary,
Ministry of Information & Broadcasting,
Government of India, Akashbani Bhavan,
Parliament Street, New Delhi-110001.
- 4) The Secretary,
Prime Minister's Office, South Block,
New Delhi-110001.
- 5) The Secretary,
Ministry of External Affairs,
Government of India, South Block,
New Delhi-110001.
- 6) The Secretary,
Cabinet Secretariat, Govt. of India,
Rashtrapati Bhavan,
New Delhi-110004.
- 7) The Director,
Intelligence Bureau, Govt. of India,
Ministry of Home Affairs, North Block,
New Delhi-110001.

Sub : Status Report from 01.02.2003
to 28.02.2003.

Ref : Your Office letter No.I/12014/
I/2000-IS(D.III) dt.07.02.2000.

S i r,

I am directed to forward herewith a 'Status Report'
of the Secretary of Justice Mukherjee Commission of Inquiry,
favour of taking necessary action at your end.

Yours faithfully,

(M. Roy)

Encl : As stated above.

Officer on Special Duty

267

Justice Mukherjee Commission of Inquiry
For Inquiry into the Alleged Disappearance of
Netaji Subhas Chandra Bose
'B' Block, (3rd Floor)
11/A, Mirza Ghalib Street, Kolkata-700 087.

STATUS REPORT

(From 01.02.2003 to 28.02.2003)

- 12B-
1. This Status Report is in continuation of the earlier Status Report forwarded under Commission's Registered letter No. JMCI/Stat.Rept./99-2000/33A/534(7) dated February 10, 2003 to the Secretaries, Ministry of Home Affairs, Ministry of External Affairs, Ministry of Defence (History Division), Ministry of Information and Broadcasting, Cabinet Secretariat, Prime Minister's Office as also to the Director, Intelligence Bureau, Government of India, for taking necessary action at their end.
 2. Commission's Status Report from 01.11.2002 to 30.11.2002 was sent by Registered Post with A/D. under Commission's letters No. JMCI/Stat.Rept./99-2000/33A/453(6) dated 9/11th December, 2002 to the Secretaries, Ministry of Home Affairs, Ministry of External Affairs, Ministry of Defence, Ministry of Information and Broadcasting, Prime Minister's Office, and Cabinet Secretariat with the request to send to the Commission within six weeks the replies/reports in respect of the paras concerning their respective Ministries/Departments/Offices in the form of an affidavit duly sworn by their respective authorised Officers, not below the rank of Joint Secretary to the Government of India. No affidavit in response to the said letter has yet been filed by/or on behalf of any of the addressees of the said letters. While some of the addressees have not responded at all - much less complied with the directions contained in the said letter - others have, however, sent their responses without any supporting affidavit.
 3. Xerox copies of Prime Minister Office's letter No.915/11/C/2/2000-Pol. dated 11.07.2002 and the Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/132 dated 21.06.2002 were sent to the Joint Secretary (CNV), Ministry of External

contd....P.2.

Compliance required
in the form of Affidavit
No. 32(1) 5, 7, 10, 14,
15,

M.B.A.

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Affairs, Government of India, with Commission's registered letter No.JMCI/Records/N.Delhi/99-2000/37(III)/315 dated 06.09.2002 wherein he was requested to kindly send immediately a true copy of the entire note dated 30.09.1993 of Shri A. K. Sinha, Under Secretary, A.P. submitted to J.S., A.P. which is available in the Ministry of External Affairs, as stated in the aforesaid letter dated 11.07.2002 of the Prime Minister's Office. The record called for is yet to be received by the Commission.

4. The attention of the Joint Secretary (CNV), Ministry of External Affairs, Government of India, was drawn by Commission's registered letter No.JMCI/Records/N.Delhi/99-2000/37(III)/316 dated 06.09.2002 to the Ministry of Home Affairs' U.O. No. VI/11034/61/2002-IS (D.III) dated 19.07.2002 endorsed to the Joint Secretary (Co-ordination), Ministry of External Affairs, Government of India, wherewith a copy of this Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(II)/113 dated 21.06.02 was forwarded and the Joint Secretary (CNV), Ministry of External Affairs, was requested to kindly furnish copies of the affidavit-in-Opposition filed and the judgment Order dated 04.03.1987 delivered by Hon'ble Mr. Justice Bhargava of Rajasthan High Court as referred to in them, The Ministry of External Affairs with their No.25/4/NGO-Vol.VIII dated October 25, 2002 has sent to the Commission a copy of their U.O. No.25/4/NGO-Vol.VIII dated 26.07.2002 endorsed to the Ministry of Home Affairs wherefrom it appears that the Ministry of External Affairs has referred back the matter to the Ministry of Home Affairs. A copy of the judgment dated 18.01.1986 of Justice S.N. Bhargava of Rajasthan High Court has been received from the Ministry of Home Affairs as also from the Ministry of External Affairs, but no copy of the judgment dated 04.03.1987 and of the affidavit-in-Opposition in the matter has been received by the Commission, The Ministry of External Affairs in their letter dated 01.01.2003 has stated inter alia that no affidavit-in-Opposition has been filed by the Ministry of External Affairs in the matter (obviously referring to the judgment dated 18.01.1986.)

M311

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187/100

5. From the d.o. letter No.281/12/2000-TS dated 31.12.2002 of the Cabinet Secretariat, Rashtrapati Bhavan, New Delhi, addressed to the Joint Secretary, Ministry of Home Affairs with a copy endorsed to the Secretary of the Commission it appears that a hard-copy downloaded from the Website of the Cabinet Secretariat regarding formation of the Cabinet Secretariat was sent by the Cabinet Secretariat to the Ministry of Home Affairs for onward transmission to the Commission. But the said hard-copy has not yet been received by the Commission from the Ministry of Home Affairs.

Already sent
to JMC 1.12.03
24/1/03

6. The Commission has been persistently asking the Ministry of Defence, Government of India, for their affidavit on existence/non-existence/availability/non-availability, etc. of the complete records of the proceedings of the trial of the INA personnel. A complete list of all files pertaining to INA which were held by the History Division of the Ministry of Defence and were transferred by them to the National Archives of India, was furnished by Shri G.B. Singh, Director, Ministry of Defence, History Division, Government of India, with his d.o. letter No.2191/NIC/H/99 dated February 16, 2000 but the said list does not appear to include the list of files/documents relating to INA trial as reiterated in letter No.2191/NIC/H/99 dated February 25, 2003 of the Deputy Director, Ministry of Defence, History Division, Government of India.

MOD

7. Some of the deponents before the Commission have in their affidavits and/or sworn testimonies asserted that documents containing clinching evidence relating to the points of the inquiry of the Commission are in the possession and/or under the control of different foreign Governments. Accordingly, the Hon'ble Minister of External Affairs was requested, by the Hon'ble Chairman, to take up the matter with the Governments of the U.K., the U.S.A., Japan, Taiwan, Russia, etc. ~~(vide enclosed copy of the Hon'ble~~ ~~Minister's~~ ~~in his~~ d.o. letter No.267 dated 21.08.2001 addressed to the then Hon'ble Minister who in his d.o. reply dated 26.09.2001 ~~copy enclosed~~ stated inter alia :

MB A

"The points raised in your letter under reference have been taken up with our Missions in the countries concerned. We would keep the Commission informed about outcome of their efforts in this regard."

As thereafter, positive response was received only to the extent that some Russian documents were sent through the Ministry of External Affairs and that the visit of the Commission to Japan had materialised, the Hon'ble Chairman met the Hon'ble Minister of External Affairs on 28.10.2002 in New Delhi to expedite the long pending matters and, apropos the said meeting, the Ministry of External Affairs was requested, inter alia, in Commission's letter No.398 dated November 11, 2002 to kindly pursue with the Government of the U.K. closely to get declassified all relevant classified British documents relating to Netaji Subhas Chandra Bose and/or I.N.A. which are in the possession and/or under the control of the Government of the U.K., so that those could be perused by the Commission and the relevant ones could be relied upon for the purpose of the inquiry as also to persuade the Governments of the Russian Federation, all other States which are now sovereign but previously within the erstwhile USSR, Japan, Thailand, Malayasia, Singapore, Vietnam, Taiwan, Germany, Ireland, etc. to make available or accessible to the Commission at their earliest convenience, all documents classified/declassified/unclassified containing the evidence/materials relating to and/or having relevance to the points of the inquiry of the Commission, which are in the possession and/or under the control of the aforesaid Governments and/or in the various archives of those countries. In response, we have received on 10.02.2003 a list of archives in Kazakhstan and the name, address, etc. of one archive in Kyrgyzstan and have also received on 24.02.03 lists of archives of Turkmenistan, Ukraine and Armenia as also the name and telephone No. of one archive in Georgia but all those do not indicate which of the archives are likely to have information on Netaji Subhas Chandra Bose/INA as requested in Commission's letter No.415 dated November 15, 2002 addressed to the Ministry of External Affairs, Government of India. Appropriate steps will have to be taken by the Commission for its visit to those foreign countries where relevant records/witnesses would be reported to it by the Ministry of External Affairs, to be available in those foreign countries.

8. *IB* Seventy six records/files, which are admitted by the Intelligence Bureau, Government of India to be available with them, could not be perused by Shri P.N. Chakravarty, Senior Research Officer of the Commission when he visited the Intelligence Bureau, New Delhi as per programme in the second half of February, 2003 with prior intimation to the Intelligence Bureau, Government of India. He was given to understand that the Micro-film system of the I.B. has become non-functional; that they are shifting their office to a new site and that it would take considerable time by the I.B. to make those records available for inspection on behalf of the Commission, after shifting of the records was completed and the Micro-film system was restored.
9. *For Inf.* Some more specimens of admitted hand-writing of Netaji Subhas Chandra Bose could be collected and have been sent to the second hand-writing expert.
10. *MBT* The Secretary, Ministry of External Affairs was requested by Commission's registered letters dated August 1, 2002 and dated 27.09.2002 to kindly provide the Commission with the particulars of the US documents on Netaji Subhas Chandra Bose pertaining to the period from August, 1945 onwards, if any, which are available in the National Archives of the U.S.A. and Records Administration, Maryland, U.S.A. as also in other archives of the U.S.A. including Mac Arthy Archives, the Archives of the Princeton University, Hoover Institution, Stanford, U.S.A. etc. The response is still awaited.
11. *MBT* Shri Nandalal Chakraborty, one of the deponents of the affidavit No.JMCI/11, in his letter dated 01.11.2002 addressed to the Secretary of the Commission, has requested the Commission to visit the USA, the UK, and Germany for reasons mentioned therein. A copy of the said letter has been sent to the Ministry of External Affairs, Government of India in continuation of the Commission's letter No.398 dated 11.11.2002, with the request to act accordingly. The Ministry of External Affairs in their d.o. letter dated December 3, 2002 wanted clarification as to what action the Commission expects of the Ministry of External Affairs in so far as the letter dated 01.11.2002

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of Shri Nandalal Chakraborty is concerned. The clarification has been issued in the Commission's letter No. JMCI/Overseas-Witnesses/2002-03/70/~~558/Mex~~ Vol. II/558 dated ^{February} ~~November~~ 26, 2003 stating therein to kindly take appropriate action to help the Commission have access to the documents referred to in the letter dated 01.11.2002 of Shri Nandalal Chakraborty.

- MEH
12. The Secretary, Ministry of External Affairs, Government of India, was requested by the Commission's registered letter No. JMCI/CPDC/2000/432 dated November 27, 2002 to kindly persuade the Government of Japan to get from the Government of Taiwan the original Register of Cremation Permits for the period from 18.08.1945 to 21.08.1945, the original application for Cremation Permit allegedly filed on 18.05.1945 in the name of Chandra Bose or Subhas Chandra Bose, the original application for Cremation Permit, if any, filed on 18.08.1945 or 19.08.1945 in the name of Ichiro Okura, the original Death Certificate allegedly issued in the name of Subhas Chandra Bose or Chandra Bose and the original Death Certificate if any, in the name of Ichiro Okura since the Commission is essentially required to have an access to those documents in view of the facts and circumstances stated in the aforesaid letter dated November 27, 2002 of the Commission. A copy of the said letter along with copies of the enclosures thereto were also sent to the Joint Secretary (IS), Ministry of Home Affairs, Government of India, on November 27, 2002 by Registered Post. The documents called for are yet to be received.

- 4
13. With Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(III)/372 dated October 10, 2002 addressed to the Secretary, Ministry of Home Affairs, Government of India, xerox copies of Prime Minister Office's letter No. 915/11/C/2/2002-Pol. dated 3rd/5th September, 2002 addressed to the Commission, P.M.O.'s U.O. No. PMS-307 dated 05.01.1974 sent to Shri T.C.A. Nivasavardan, Additional Secretary, Ministry of Home Affairs, Government of India, and d.o. letter No. 24/27/71-Pol.II(D.III) dated May 3/4, 1974 of the Home Minister addressed to Samar Guha, M.P. were enclosed and the
- Shrawan
upadhyay

Secretary, Ministry of Home Affairs was requested to kindly furnish to the Commission immediately the details of documents which could be secured by the Government of India and supplied to the Khosla Commission as also the particulars of the documents which could not be secured by them because of their non-availability along with authenticated xerox copies of different affidavits of the Ministry of Home Affairs filed before the Khosla Commission in the matter and of the reply given by the Home Minister in the Lok Sabha on 27th March, 1974 as stated in the aforesaid d.o. letter dated 3/4 May, 1974 of the Home Minister addressed to Shri Samar Guha, M.P. He was further requested to kindly send immediately an authenticated xerox copy of the reply, if any, given by the Ministry of Home Affairs to Shri Samar Guha as requested in para 4 of the aforesaid P.M.O.'s U.O. Note No.PMS-307 dated 05.01.1974. The reports/particulars/documents as called for from the Ministry of Home Affairs are still awaited.

- 5
- PMD
14. The Secretary, Prime Minister's Office has been requested by Commission's letter No.JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(III)/188 dated July 12, 2002 to furnish the Commission immediately with the documents mentioned against four Com. Nos., viz., com. 11, 30(R)(2), 30(S)(2), and 30(V)(I), since those documents do not appear to have been submitted to the Commission as yet which is supposed to be done by the Prime Minister's Office as mentioned in the 3rd para of the d.o. letter No.IV/8(66)/2001-2184 dated 12.12.2001 of Shri Sanjoy Sinha, Joint Director, IB, Government of India, addressed to the Secretary of the Commission, a xerox copy of which has been enclosed with the aforesaid letter dated 12.07.2002 of the Commission. The documents called for are still awaited.

contd...P.8.

12B

15. By d.o. letter No. JMCI/Records/99-2000/37(III)/359 dated October 3, 2002 of the Secretary of the Commission addressed to the Secretary, Ministry of Information and Broadcasting, Government of India, the attention of the latter was drawn to a special message from Netaji Subhas Chandra Bose of the Provincial Government of Azad Hind (Singapore) broadcast on 31.42 Metres in 2115.25 hrs. daily "commentry in English" on August 18, 1945 which appears to have been monitored by the monitoring service of All India Radio, Simla, and presented to the National Archives of India by the Publication Division of the Ministry of Information and Broadcasting. A copy of the said message has been enclosed with the said d.o. letter dated October 3, 2002 for ready reference. The Secretary of the Ministry of Information and Broadcasting was requested to throw some light on the points whether the message was live and a direct broadcast or whether the broadcast ~~was~~ was of a pre-recorded message/speech of Netaji. The response of the said Ministry in the matter is still awaited.

no action

16. On being requested by the Commission, the Indian Embassy in Japan has agreed on December 27, 2002 to solicit the services of an expert to re-examine the bones allegedly of Netaji Subhas Chandra Bose kept in Renkoji temple "to seek his opinion on whether any material exists from which D.N.A. may be isolated for the purpose of a D.N.A. test." Further development in the matter is still awaited.

for info

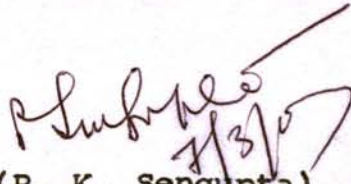
17. Steps have been taken for holding the hearing of the Commission on 26.03.2003 and 27.03.2003 in the Annexe Building, Mahajati Sadan, Kolkata, when, ~~besides~~ besides transacting other business, the Commission is expected to examine 9 (nine) witnesses.

18. Steps have been taken to collect blood samples on 04.03.2003 of Shri Subrata Bose, and Shri Dwaraka Nath Bose, who are sons of the elder brothers of Netaji as also of Shri Sadhan Kar who is a descendant from the maternal lineage of Netaji.

for info

19. A proposal has been sent in Commission's registered letter No. JMCI/Admn./99-2000/32(II)/560 dated 27.02.2003 for extension of the term of the Justice M.K. Mukherjee Commission of Inquiry for a further period of one year with effect from 15.05.03 showing therein the nature and extent of hurdles from different quarters which the Commission had to face in the past and has been facing presently and highlighting some of the main reasons for which the Commission is not in a position to complete its inquiry within 15th May, 2003 upto which the present term of the Commission stands extended.

MHA
under submission


(P. K. Sengupta)
Secretary

JUSTICE MUKHERJEE COMMISSION OF INQUIRY

FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF

NETAJI SUBHAS CHANDRA BOSE.

'B' Block, (Third Floor)

11/A Mirza Ghalib Street, Kolkata-700087

Phone:

Chairman - 2252-2835
Secretary - 2252-2767
Officer on
Special Duty - 2252-2765
Office - 2252-2766/68

Fax : 033-2252-2765

e-mail : jmcinscb@cal3.vsnl.net.in

NO. JMCI/STAT.REPT./99-2000/33A (II)/626 (7)

April 02, 2003

From : Shri M. Roy, IAS (Retd.)
Officer on Special Duty

000812

- To :
1. The Secretary,
Ministry of Home Affairs,
Government of India, North Block, New Delhi-110001.
 2. The Secretary,
Ministry of Defence (History Division),
Government of India, South Block, New Delhi-110001.
 3. The Secretary,
Ministry of Information & Broadcasting, Government of India,
Akashbani Bhavan, Parliament Street, New Delhi-110001.
 4. The Secretary,
Prime Minister's Office, Government of India,
South Block, New Delhi-110001.
 5. The Secretary,
Ministry of External Affairs,
Government of India, South Block, New Delhi-110001.
 6. The Secretary,
Cabinet Secretariat, Government of India,
Rashtrapati Bhavan, New Delhi-110004.
 7. The Director,
Intelligence Bureau, Government of India,
Ministry of Home Affairs, North Block, New Delhi-110001.

Subject : Status Report from 01.03.2003 to 31.03.2003.

Ref : Your Office letter No.I/12014/I/2000-IS(D.III) dated 07.02.2000.

Sir,

I am directed to forward herewith a 'Status Report' of the Secretary of Justice Mukherjee Commission of Inquiry, for favour of taking necessary action at your end.

Yours faithfully,

(M. Roy)

Officer on Special Duty

Encl : As stated above

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Justice Mukherjee Commission of Inquiry
For Inquiry Into the Alleged Disappearance of
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata-700087

STATUS REPORT
(From 01.03.2003 to 31.03.2003)

1. This Status Report is in continuation of the Status Report for the period from 01.02.2003 to 28.02.2003 forwarded under Commission's Registered letters No.JMCI/Stat.Rept./99-2000/33A/585(7) dated 07.03.2003 to the Secretaries, Ministry of Home Affairs, Ministry of Defence (History Division), Ministry of Information & Broadcasting, Ministry of External Affairs, Prime Minister's Office, Cabinet Secretariat, as also to the Director, Intelligence Bureau, Government of India, for favour of taking necessary action at their end.
2. There has been no further development in the matters as stated in paras 2,3,4,5,8,10,11,12,13,14, and 15 of the aforesaid Status Report for the period from 01.02.2003 to 28.02.2003.
3. (a) Hearing of the Commission was held on 26.03.2003 and 27.03.2003 in the Annexe Building, Mahajati Sadan, Kolkata, when seven witnesses were examined before the Commission.
(b) Orders in pursuance of the hearing of the Commission held on 09.01.2003 in respect of paragraph 7(a) of the Status Report as on 28.11.2002, were passed by the Hon'ble Chairman at the time of the hearing of the Commission on 26.03.2003.
(c) The next hearing of the Commission will be on April 03, 2003.
4. The Hon'ble Minister, Ministry of External Affairs, Government of India, in his d.o. letter dated 13.11.2002 addressed to the Hon'ble Chairman has stated inter alia :
".....since the Commission feels that these papers (i.e. classified British records on Netaji Subhas Chandra Bose) could be of vital importance with reference to its mandate, we have again taken up the issue of their release with the British Government and would keep you informed of the outcome in this regard."

LS) 278
I would like to take this opportunity to reassure you of all possible assistance from our side to facilitate the inquiry of the Commission”.

Since then the Ministry of External Affairs has sent a d.o. letter bearing No. 25/4/NGO-Vol.IX(I) dated February 28, 2003 wherein it has been stated, inter alia, that the Indian Mission in London has taken up the matter with the authorities concerned in the U.K. and has been following up with them; but “till date no response has been received from the British authorities.”

- MBK: 5 (a) In view of the assertions of some deponents that documents containing clinching evidence relating to the points of inquiry of the Commission are in the possession and/or under the control of different foreign Departments, the Ministry of External Affairs, Government of India was requested on 11.11.2002, (apropos the Hon'ble Chairman's discussions with the Hon'ble Minister of External Affairs, Government of India held on 28.10.2002), to take up the matter with the Government of the U.K., the U.S.A., Japan, Taiwan, Russia, all other States which are now sovereign but previously within the erstwhile USSR, Thailand, Malayasia, Singapore, Vietnam, Germany, Ireland, etc. to make available or accessible to the Commission at their earliest convenience, all relevant documents which are in the possession and/or under the control of the aforesaid Governments and/or in the various archives of those countries. In response, a list of archives in Kazakhstan and the name, address, etc. of one archive in Kyrgyzstan have been received on 10.02.2003, lists of archives of Turkmenistan, Ukraine, Armenia and the name and telephone No. of one archive in Georgia, have been received on 25.02.2003, and lists of archives in Belarus and Lithuania have been received on 11.03.2003. The Ministry of External Affairs has stated in their d.o. letters dated February 28, 2003 that the National Archives of Turkmenistan do not have any information on Netaji Subhas Chandra Bose; that the Ministry of External Affairs has asked the Indian Mission in Moscow to check with the Russian Foreign Office about the presence of any relevant documents in the archives of the Russian Federation with specific references to the archives mentioned in the list of Dr. (Mrs.) Purabi Roy; that the Indian Mission in the Russian Federation is checking with the Russian Foreign Office regarding the points raised by the Commission in

its letter No. 398 dated 11.11.2002 concerning the list of archives in the Russian Federation, that the Indian Mission in Belarus "has also informed that all requests for service from the listed archives must be specific and all services rendered are charged"; and that information from the remaining countries are being procured and will be sent to the Commission as soon as received.

- MBA
- (b) The Joint Secretary (CNV), Ministry of External Affairs, Government of India, has been requested by Commission's letter No. JMCI/DOC(FOR)/99-2000/56(IV)/599 dated March 21, 2003 to kindly send immediately a copy of the reply received by the Indian Mission, Turkmenistan which was not received along with the d.o. letter No. 25/4/NGO-Vol. IX(I) dated 28.02.2003 as stated therein. He was also requested to kindly ask the Indian Mission in Belarus to inquire locally and report immediately whether any documents relating to Netaji Subhas Chandra Bose are available in the Archives in Belerus and Lithuania. He was further requested to kindly ask the Indian Missions in Ukraine, Turkmenistan, Armenia, and Georgia to make local inquiries and report immediately as to whether any documents relating to Netaji Subhas Chandra Bose and relevant to the inquiry of the Commission are available in the Archives of those countries.
- NAI
- (c) The Commission has also written on March 21, 2003 to the Director, National Museum of History of the Great Patriotic War, 1941-45, Archives of Ukraine, the Director, Central State Historical Archives of Ukraine, the Director General, Lithuanian State Archives System, the Director, Lithuanian State History Archive, the Director, Lithuanian Central State Archive, the Director, Lithuanian New State Archive, the Director, Lithuanian Special Archive, and the Director, Lithuanian Literature and Arts Archives, as also to the Chairman, Committee for Control Over Archives and Documentation, Kazakhstan (through H.E. Ambassador of India in Kazakhstan) with a request to kindly favour this Commission with their reports on whether any documents relating to Netaji Subhas Chandra Bose are available in their Archives and if so, to kindly furnish the particulars of such documents to this Commission as early as possible to facilitate its inquiry. The Lithuanian New State Archives has intimated that they do not have any documents concerning Netaji Subhas Chandra Bose.

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6. The reports solicited from the Director (CNV), Ministry of External Affairs, Government of India, in Commission's letter No.JMCI/DOC(FOR)/99-2000/56(IV)/446 dated December 5, 2002 on the outcome of further inquiry pursuant to the communication dated May 8, 2001 of Shri Harish K. Jain, Consul, St. Petersburg, addressed to the Embassy of India, Moscow, a copy of which was enclosed with the d.o. letter No. 25/4/NGO-Vol.VIII dated October 31, 2002, is yet to be received.

MBH

7. The blood samples of Shri Subrata Bose and Shri Dwaraka Nath Bose, who are sons of the elder brothers of Netaji, as also of Shri Sadhan Kar, who is a descendent from the maternal lineage of Netaji, were collected by the Commission on 04.03.2003 and on that very day, an authorised officer of the Commission went to Hyderabad and deposited them with the Centre for D.N.A. Fingerprinting and Diagonistics, Hyderabad along with seven teeth found amongst the belongings allegedly of 'Gumnami Baba' of Faizabad, for D.N.A. tests.

MBH


8. The Secretary, Ministry of External Affairs, Government of India, was requested by the Commission's registered letter No.JMCI/CPDC/2000/432 dated November 27, 2002 to kindly persuade the Government of Japan to get from the Government of Taiwan the original Register of Cremation Permits for the period from 18.08.1945 to 21.08.1945, the original application for Cremation Permit allegedly filed on 18.05.1945 in the name of Chandra Bose or Subhas Chandra Bose, the original application for Cremation Permit, if any, filed on 18.08.1945 or 19.08.1945 in the name of Ichiro Okura, the original Death Certificate allegedly issued in the name of Subhas Chandra Bose and the original Death Certificate, if any, in the name of Ichiro Okura. A copy of the said letter along with copies of the enclosures thereto were also sent to the Joint Secretary (IS), Ministry of Home Affairs, Government of India, on November 27, 2002 by Registered Post. The Ministry of External Affairs, Govt. of India in their d.o. letter dated 11.02.2003 received by the Commission on 24.02.2003 has stated, inter alia, that the matter is under reference to the authorities concerned in Japan and that the Ministry "shall revert as soon as a response is received from the Japanese authorities". Further development in the matter is still awaited.

9. The Commission has been persistently asking the Ministry of Defence, Government of India for their affidavit on existence/non-existence/availability/non-availability, etc. of the complete records of the proceedings of the trial of the I.N.A. personnel. But no such affidavit has been filed by the Ministry of Defence as yet. They have also not stated categorically that all the files of the Ministry of Defence on INA/Netaji Subhas Chandra Bose were sent to the History Division of the Ministry of Defence; that the History Division of the Ministry of Defence transferred all those files to the National Archives of India on 26th August, 1997 and that none of the files on INA/Netaji Subhas Chandra Bose is presently available with any of the Offices/Divisions/Authorities under the Ministry of Defence, Government of India. The Deputy Director, Ministry of Defence (History Division), Government of India has, however, stated in his letter No.2191/NIC/H/99 dated February 25, 2003 that all files pertaining to INA which were held by the History Division of the Ministry of Defence were transferred by them to the National Archives of India. In reply to the Commission's letter No.JMCI/Stat.Rep./Compliance/2003/87/584 dated March 6, 2003, the Deputy Director of Archives, Government of India in his d.o. letter dated March 24, 2003 received by the Commission on 31.03.2003 has stated that "there are about 15 files which relate to trial/court-martial proceedings of I.N.A. personnel" and has furnished a list of the said 15 files.
10. On being requested by the Commission, the Indian Embassy in Japan agreed on December 27, 2002 to solicit the services of an expert to re-examine the bones allegedly of Netaji Subhas Chandra Bose kept in Renkoji temple "to seek his opinion on whether any material exists from which D.N.A. test may be isolated for the purposes of a D.N.A. test." A reminder was sent to the said Indian Embassy by FAX on 11.03.2003. By Commission's letter No.JMCI/EO/2002-2003/83/590 dated 13.03.2003 the Secretary, Ministry of External Affairs was requested to take necessary action so that the Commission receives the opinion of a competent expert immediately on whether any material exists in the mortal remains allegedly of Netaji Subhas Chandra Bose kept at the Renkoji Temple in Japan from which D.N.A. may be isolated for the purposes of D.N.A. tests, as called for by the Commission from the Embassy of India in Tokyo. Shri Biren Nanda, Charge d' Affairs of the Embassy of India in Tokyo in his communication dated

MoD

MEA

49)
27.12.2002 (sic) sent by FAX and received by the Commission on 27.03.2003 has requested the Commission to correspond directly with the Ministry of External Affairs in New Delhi on this matter.

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(P. K. Sengupta)
Secretary

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No.I/12014/13/2000-IS(D.V)
Government of India
Ministry of Home Affairs
.....

New Delhi dated 28.4.03 .

To

The Secretary
Justice Mukherjee Commission of Inquiry
Netaji Subhas Chandra Bose
'B' Block (3rd floor), 11/A Mirza Ghalib Street
Kolkatta 700087.
(Attn: Sh.M.Roy, OSD)

7 MAY 2003

Subject: Documents relating to investigation into the circumstances relating to the death of Netaji Subhas Chandra Bose.

Sir,

I am directed to refer to your letter No.JMCI/Stat.Rept./99-2000/33A/534(7), JMCI/Stat.Rept./99-2000/33A/597(7) and No.JMCI/Stat.Rept/99-2000/33A (ii)/626(7) dated 10.2.03, 7.3.03 and 2.4.03 forwarding therewith a copy of status report for the month of January, February and March 03 showing pending action points against the M/o Home Affairs and other Ministries and Departments.

2. In regard to status report for the month of January, 03 parawise reply concerning to M/o Home Affairs with reference to the issues indicated therein are as follows:-

Para 4

The Commission has already been apprised of the factual position vide this Ministry's status report dated 13.2.03 that despite various efforts this Ministry's File No.24/27/71-Pol-II regarding d.o letters dated 3/4/1974 of the Home Minister addressed to Sh. Samar Guha, MP could not be traced. Hence the details of documents which could be secured by the Govt. as well as the copies of the affidavit of the MHA filed before the Commission cannot be made available to the Commission. However a copy of File No.6/7/74-NC reg. Lok Sabha admitted Starred Qn. for 27.3.74 raised by Sh. Samar Guha relating to recording of evidence of Habibur Rehman in Pakistan has already been made available to the Commission vide this Ministry's status report dt.13.2.03.



Para 6

The Commission has already been apprised of the factual position of document concerning Sl.No.(ii), (iii), (iv), (v) and (vi) vide this Ministry's letter dt.2.1.03 and 13.2.03

Para 8

In regard to outcome of the action of the letter dt.13.9.1990 of Sh.Amiya Nath Bose addressed to Sh.V.P. Singh the then Prime Minister of India enclosing therewith a copy of the news titled "fresh clue on Netaji's death" published in the Times of India, New Delhi dt.3.9.90, the Commission has already been informed vide this Ministry's status report dt.18.7.02 that no specific action was called for on this receipt letter referred to above and it was taken on record

Para 9a

As regard action taken report on the letter dt 15.10.1970 of Sh.M.L. Sondhi, MP Lok Sabha alleged to be sent by the PMO to this Ministry, the Commission has already been intimated vide this Ministry's status report dt.18.7.02 that no such papers had become available in this Ministry and the Hon'ble Commission was accordingly advised that they may get in touch with the MEA/PMO to obtain this information in this regard.

Para 14

In regard to the action taken report on the PMO's endorsement No.870/11/P/10/93-Pol dt.8.4.93 reg. copy of letter dt.27.3.93 of Dr.Shankar Dayal Sharma the then President of India enclosing therewith letter dated 13.3.93 jointly written by Sh.Triguna Sen, Sh.Amiya Kumar Mazumder, and Sh.Aurobinda Nath Bose, the Commission is once again informed that the above said reference received from PMO was subsequently sent to MEA for appropriate action vide this Ministry's letter No.I/12014/13/2000-IS(D.III) dt.17.5.93 and the Commission has already been informed of this factual position vide this Ministry's letter dt.24.1.03.

Para 16

Reg. availability of "further contemporary official documentary records pertaining to statement made by late Morarji Desai the then Prime Minister of India in the Lok Sabha on 28.8.1978, the Commission has already been conveyed of the factual positions of its non-availability through this Ministry's affidavit dt.19.12.01. This aspect was also clarified vide this Ministry's status note dt.13.2.03.

285

*As regard the status report for the month of Feb 03,
para-wise reply with reference to the issues indicated therein
are as follows: -*

Para 2

In this para the Commission has asked the concerned Ministries/Departments to file an affidavit duly sworn by their respective authorized officer not below the rank of Joint Secretary to the G/o India in respect of the action points shown against MHA contained in paras No.3(b)(i), 5,7,10,14 and 15 of the status report for the month of November,02., in this connection it is submitted that since the factual position in respect of the above paras referred to above has already been communicated vide this Ministry's letter dt.24.1.03 with the approval of Joint Secretary of this Ministry, it is felt that no further affidavit is required to be filed in this regard.

v/p 198/cw

Para 13

It is a similar issue which has already been explained vide para 4 of the status report for the month of January,03 referred to above.

Para 19

So far as further extension of the tenure of the Commission beyond 14.5.03 is concerned, the matter is under process and the JMCI will be informed accordingly in due course.

This issues with the approval of JS(S).


(U.K. KALRA)
DIRECTOR(S)

286

JUSTICE MUKHERJEE COMMISSION OF INQUIRY

FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF

NETAJI SUBHAS CHANDRA BOSE.

'B' Block, (Third Floor)

11/A Mirza Ghalib Street, Kolkata-700087

Phone:

Chairman - 2252-2835
Secretary - 2252-2767
Officer on Special Duty - 2252-2765
Office - 2252-2766/68

FAX : 0091-033-2252-2765

e-mail : jmcinscb@cal.3.vsnl.net.in

No. JMCI/RECORDS/ND/99-2000/37(IV)/39

April 28, 2003

From : **Shri P.K. Sengupta,**
Secretary.

To : **Shri U. K. Kalra**
Director (IS-II),
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

Sub : Transmission of certain documents of the Cabinet Secretariat.

Ref : 1. Letter No. 281/12/1/2000 IS dated 13.11.2002 from Sri Shatrughna Singh, Director,
Cabinet Secretariat
2. Your letter no. I/12014/13/IS (DV) dated 02.01.2003.

219/03-ver-1
615
Sir,

I am directed to invite your attention to the above-quoted letters (a copy of each enclosed) on the afore-mentioned subject.

The files bearing the numbers I/12014/9/77-D.III, I/12014/6/90-IS(D.III) and I/12014/9/77-D-D.III (two volumes), as mentioned in your above-quoted letter, were received by the Commission along with a forwarding letter dated 20.12.2001 from Sri V. P. Bhatia, Under Secretary, MHA (copy enclosed) and those files were minutely scrutinized to find out the documents bearing the F.No. 10/22/CF/68, F.No. 6/5/9/77 CF, F.No. 21/CF-68, F.No. 6/1/674-CF and F.No. 6/5/1/91-TS of the Cabinet Secretariat, as you had stated in your above-quoted letter that the above-said documents of the Cabinet Secretariat were available in the files sent by Shri Bhatia, Under Secretary in your Ministry.

I am to inform you that only the Cabinet decision dated 29.08.1974 dated 13.11.2002 mentioned as F.No. 6/1/74-CF in the aforesaid letter dated 13.11.2002 of the Cabinet Secretariat could be located in the file no. 31/2/74-Pol (D-III), being one of the files received from Sri Bhatia, Under Secretary, MHA. Even this Cabinet decision does not bear the number F.No. 6/1/74 CF. No documents bearing the F.No. 6/5/9/77, F.No. 6/1/6/74-CF and F.No. 6/5/1/91-TS were found in the files received from Sri Bhatia of MHA.

...2/-

219/03-ver-1
615

Mm N.
575

Dr. J. N. Sengupta

Dr. J. N. Sengupta

575

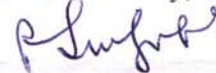
put up in
12014/13/2003 - Vol-2

Drawing your notice to the last sentence of para. 2 of your afore-said letter dated 02.01.2003, which relates to a Cabinet decision dated 06.03.1970, I am to say that what you have sent is not a Cabinet decision, but a note dated 18.02.1970 for the Cabinet. This note dated 18.02.1970 has been referred to by you as Cabinet decision dated 18.02.1970. It may be that this note dated 18.02.1970 led to a Cabinet decision on 06.03.1970 to constitute a Commission of Inquiry which perhaps led to the formation of Khosla Commission of inquiry. I am to request you to let the Commission know whether this presumption is correct or not.

I am to request you to clarify as to whether the F.No.s in the letter dated 13.11.2002 of Sri Shatrughna Singh of the Cabinet Secretariat are files nos. of the Cabinet Secretariat or these are identification numbers of some documents or classes of documents. If serial nos. (ii), (iii), (iv), (v) and (vi) of para. 2 of the letter dated 13.11.2002 of the Cabinet Secretariat are files of the Cabinet Secretariat, then it is obvious that those files were not received along with the files sent by Shri Bhatia of the MHA. On the other hand, if the said serial nos. of para. 2 of the letter of the Cabinet Secretariat refer to certain documents of the Cabinet Secretariat, I am to request you to let the Commission know which of the documents in the files sent by Sri Bhatia of the MHA can be related to the sl.nos. (ii), (iii), (iv) and (vi) at para. 2 of the letter dated 13.11.2002 of the Cabinet Secretariat.

The matter may be treated as urgent.

Yours faithfully,



(P.K. Sengupta)
Secretary

Encl : Three

f

BY FAX
(FAX No. 033- 8371631)

No.I/12014/13/2000-IS(D.V)
Government of India
Ministry of Home Affairs

New Delhi dated 21.03 .

To

The Secretary
Justice Mukherjee Commission of Inquiry
Netaji Subhas Chandra Bose
'B' Block (3rd floor), 11/A Mirza Ghalib Street
Kolkatta 700087.

Sir,

I am directed to refer to Cabinet Secretariat's endorsement No.281/12/1/2000-TS dated 13/11/2002 addressed to Secretary Justice Mukherjee Commission of Inquiry and copy to this Ministry regarding authenticated copies of documents mentioned at para 2 (ii) F.No. 10/22/CF-68, iii) F.No. 6/5/9/77-CF, iv) F.No. 10/21/CF-68 and to say that the Commission has already been apprised of the factual positions vide this Ministry's affidavit dated 27/2/01.

The Commission is once again kindly informed that the documents at para 2 (iii), 2(v) and (vi) are available in this Ministry's F.No.I/12014/9/77- D.III, F.No.I/12014/6/90-IS(D.III) and F.No.31/2/74-Poll D.III (2 Volumes) which have already been made available to the Commission on 20/12/2001 (copy enclosed). and in regard to para 2(iv) regarding the Cabinet decision dated 6.3.70 on the demand for fresh inquiry into alleged death of Netaji, it may be stated that the relevant file is not available, the contents of the Cabinet decision is enclosed which pertains to 18/2/70 and not 6/3/70.

As regard documents mentioned at para 2 (ii) regarding issue of commemorative stamps/coins of Netaji Subhas Chandra Bose on 21/10/1968 on the occasion of silver jubilee of the Azad Hind Government in fact originated from Ministry of Finance, D/o Economic Affairs and this Ministry has requested M/o Finance to communicate their views whether the said Cabinet Note can be declassified or has to be retained as classified. Since the reply is still awaited It will be appreciated if the Commission take up the issue direct with D/o Economic Affairs Miss Aprajita Chowdhury, Under Secretary (Coins), North Block, New Delhi.

(U.K. KALRA)
DIRECTOR (IS-II)

मंत्रिमण्डल सचिवालय
राष्ट्रपति भवन, नई दिल्ली-110004
CABINET SECRETARIAT
RASHTRAPATI BHAVAN, NEW DELHI-110004



तारीख
November 13, 2002.

No. 281/12/1/2000-TS

To,

Shri P.K. Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block, (Third Floor),
11/A, Mirza Ghalib Street,
Kolkata.

Subject:- Documents relating to investigation into the circumstance leading to the death of Netaji Subhas Chandra Bose.

Sir,

I am directed to refer to Justice Mukherjee Commission of Inquiry letter No. JMCI/Records/N.Delhi/99-2000/37(III)/374 dated 10th October, 2002, addressed to the Secretary, Cabinet Secretariat (Main), New Delhi, requesting to indicate the action taken on the Commissions letter Nos. JMCI/Meeting-pros (Follow up)/N.Delhi/48(Vol.III/266 & JMCI/Meeting-pros(Follow up)/N.Delhi/ 46(Vol.III/264 dated 20th August, 2002 addressed to the Secretary, Cabinet Secretariat, Bikaner House, New Delhi.

2. In their letters referred to above, the Commission had requested for the following documents:-

i) PMO F.No. 12(226)-56/PM

ii) F.No. 10/22/CF-68.

iii) F.No. 6/5/977-CF.

iv) F.No. 10/21/CF-68.

v) F.No. 6/1/6/74-CF.

vi) F.No. 6/5/1/91-TS.

3. Document at Sl. No. (i) above had already been sent to the Commission directly vide this Secretariat letter No. 281/12/2/99-Cab dated 28.8.2000. As regards the remaining documents, these were forwarded to Shri V.P. Bhatia, Under Secretary, MHA vide this Secretariat note of even number dated 10.11.2000 with a request to furnish these documents to the Commission. This position was communicated to the Commission vide our letter of even number dated 19.9.2001. Hence, no action is pending in respect of the Commission's letters referred to in para 1 above. However, a copy of this letter is being sent to MHA again with a request to send the documents [Sl. Nos. (ii) to (vi) mentioned at para 2 above] immediately if it is not already sent.

Yours faithfully,

(Shatrughna Singh)
Director

No.I/12014/13/2000-IS(D.III)
Government of India/Bharat Sarkar
Ministry of Home Affairs/Grih Mantralaya

New Delhi, the 20th December 2001

To,

Shri P K Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry
'B' Block (IIIrd Floor)
11/A Mirza Ghalib Street,
Calcutta -700 087

Subject:- Submission of files referred to in the affidavit dated 27th February 2001
of Smt. Sangita Gairola, Joint Secretary (IS-I), M.H.A- regarding.

Sir,

I am directed to refer to the Commission's letter No. JMCI/Meeting-
Proceedings (Follow Up)/48 (Vol. III) 453 dated 5th December 2001 on the subject noted
above and to submit the three files referred to in the said letter. The descriptions of these
files are mentioned below: -

Sl. No.	File No.	Subject of The file	Page Nos.
1.	I/12014/6/90-IS (D.III)	Dispute regarding ashes of Netaji Subhas Chandra Bose- Bring these ashes To India- controversy about Whether Netaji is still alive- Reference from PMO	26 pages of Note portion & 148 pages of correspondence & 35 pages appendix to Correspondence.
2.	I/12014/9/77- IS (D.III)	No-Day yet named Motion regarding Report No 74 of the Commission of Inquiry into the disappearance of	30 pages of Note portion & 480 pages of correspondence
3. (i)	31/2/74-Poll (D.III)	Netaji Inquiry Commission- Follow-up action.	4 pages of Note portion & 39 pages of correspondence.
(ii)	Pt. 31/2/74-Poll (D.III)	Examination of Netaji Inquiry Commission Report.	6 pages of Note portion & 45 pages of Correspondence.

2. Kindly acknowledge receipt.

Thanking You

Yours faithfully

(V.P.BHATIA)

Under Secretary to the Govt.

F.No. J/12014/13/2000 IS DIR (NCB)

Government of India
Ministry of Home Affairs
NCB Section

Dated: 19th May, 2003**Sub: Transmission of certain documents of the Cabinet Secretariat**

The undersigned is directed to forward herewith a copy of the letter no.JMCI/Records/ND/99-2003 alongwith enclosures on the subject noted above.


Cabinet Sect. is requested to kindly look into the matter and furnish their views/comments specifically on last two paras of Commission's letter dated 28.4.2003 so that a suitable reply is sent to the Commission.


(M.S. ZUHA)
Desk Officer

To

T.S. Section,
Cabinet Secretariat,
Rashtrapathi Bhavan, New Delhi.



Please issue

21/5/2003

292 ✓
MOST IMMEDIATE

**CABINET SECRETARIAT
RASHTRAPATI BHAVAN**

Subject:- Transmission certain documents of the Cabinet Secretariat.

.....

Reference is invited to M/o Home Affairs O.M. No. I/1204/13/2000 IS D III (NCB) dated 19.05.2003 enclosing a copy of the Justice Mukherjee Commission of Inquiry's letter dated 28.04.2003 seeking views/comments of this Secretariat.

2. As regards query of the Commission at para 4 of its letter, it is clarified that 6.03.1970 is the date of Cabinet decision. Regarding para 5 of the Commission's letter, the papers mentioned at para 2(ii) to (vi) of this Secretariat letter of even number dated 13.11.2002 are documents asked for by the Commission.


**(M. Dinakaran)
Under Secretary**

T.N.D. 23013092

M/o Home Affairs [Shri M.S. Zuha, Desk Officer].

Cabinet Secretariat ID No.281/12/1/2000-TS dated 5.06.2003.

326/13-NCB-
10/6

On file pl.
10/6

M.N.
6/6

293

No.I/12014/13/2000-IS-V(NCB)Vol.III
Government of India
Ministry of Home Affairs

.....

To

dt. 6/8/03

Shri P.K. Sengupta,
Secretary
Justice Mukherjee Commission of Inquiry
Netaji Subhas Chandra Bose
'B' Block (3rd floor), 11/A Mirza Ghalib Street
Kolkatta 700087.

Subject: Transmission of certain documents of the Cabinet Secretariat.

Sir,

I am directed to refer to your letter No.JMCI /RECORDS/ND/99-2000 /37(IV)/39 dated 28.4.03 on the subject noted above and to enclose herewith a copy of I.D.No.281/12/1/2000-TS dated 5/6/03 for information.

Yours faithfully,


(M.S. ZUHA)
DESK OFFICER



294

No. 12014//13/2000-NCB.II/IS(D.III) (Vol.V)
Ministry of Home Affairs
Security Division
....

Dated: 14.5.04

To,

Shri P.K. Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry
Netaji Subhas Chandra Bose
'B'Block(Third floor)
11/A Mirza Ghalib Street,
Kolkata-7000087.

Subject: Documents relating to investigation into the circumstances leading
to the Death of Netaji Subhas Chandra Bose.

Sir,

In continuation of this Ministry's letter of even No. dated 6/4/04 on the
subject noted above, a copy of Cabinet Note No.1/18/68-Coin dt.17/5/1968 reg.
issue of commemorative stamps indicated at Sl.No.2(ii) of the Cabinet Sectt. letter
No.281/12/1/2000-TS dt.13/11/02 is enclosed herewith.

Encls? As above

Yours faithfully,

(UMESH KALRA)
DIRECTOR(S)

295

No. 12014//13/2000-NCB.II/IS(D.III) (Vol.V)
Ministry of Home Affairs
Security Division
....

Dated: 14.5.04

To,

Shri P.K. Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry
Netaji Subhas Chandra Bose
'B'Block(Third floor)
11/A Mirza Ghalib Street,
Kolkata-7000087.

Subject: Documents relating to investigation into the circumstances leading
to the Death of Netaji Subhas Chandra Bose.

Sir,

In continuation of this Ministry's letter of even No. dated 6/4/04 on the
subject noted above, a copy of Cabinet Note No.1/18/68-Coin dt.17/5/1968 reg.
issue of commemorative stamps indicated at Sl.No.2(ii) of the Cabinet Sectt. letter
No.281/12/1/2000-TS dt.13/11/02 is enclosed herewith.

Encd. As above

Yours faithfully,

(UMESH KALRA)
DIRECTOR(S)

2(ii).

CO-314/68

SECRET

COPY NO. 30

No.F.1/18/68-Coin
Ministry of Finance
(Department of Economic Affairs)

New Delhi, the 17th May, 1968.

SUMMARY FOR THE CABINET.

Subj:- Issue of Netaji Subhash Chandra Bose commemorative coin/coins on 21.10.68 on the occasion of the silver jubilee of the founding of the Azad Hind Government.

The "National Committee on Netaji" have sent a proposal for the issue of a coin with the effigy of Netaji embossed on it, during this year. They have indicated that the Silver Jubilee Celebrations of the Free India Government established under Netaji Subhash Chandra Bose would be observed on the 21st October, 1968. The contribution of the Indian National Army under Netaji has been emphasised and it has been suggested that in commemoration of the valiant fighters, a Netaji coin should be issued. Azad Hind Fauz Association, Delhi have also proposed that Netaji coins should be issued for circulation on October 21, 1968. They have also suggested the issue of a special postal stamp to commemorate the Silver Jubilee Celebrations of the Azad Hind Government Foundation Day.

2. Apart from the Nehru coins (one rupee and fifty paise coins), India has not so far minted any coins in commemoration of the National leaders. The issue of special coins (Silver ten rupees coin, one rupee, fifty paise and twenty paise coins) on the occasion of the

.....2/-.

birth centenary of Mahatma Gandhi has recently been decided upon by the Cabinet at its meeting held on 2.4.1968. Apart from these, the only other commemorative coin which has been decided upon is the 'FAO Coin' in the denomination of Rs. 10 to be issued later in 1968. In this case, we would be participating in an international issue of coins to maintain public interest in a concrete way in the world food problem.

3. The general policy to be followed in regard to issue of special 'Coins' would merit consideration. The issue of commemorative coins, it is suggested, should be only on very special occasions. In the light of this, it is for consideration whether at all we should accept proposal for the issue during 1968 of a special Netaji coin or coins and whether the issue of a special postal stamp to commemorate the occasion mentioned would be not appropriate.

4. To sum up, the points for decision are -

(i) whether the occasion of the silver jubilee of the founding of the Azad Hind Government on 21.10.68 should be commemorated;

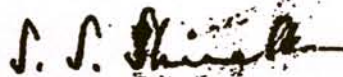
(ii) if the answer to (i) above is yes, whether only a stamp or a commemorative coin/coins also should be issued and if a commemorative coin/coins, what the denomination/denominations should be and whether the effigy of Netaji should be embossed on it;

and (iii) what general policy in regard to issue of special coins should be.

5. The Summary has been seen by the Ministries of Home Affairs, Defence and Education and the Department of Communications. The Ministries have no comments to make. The Department of Communications have, however, stated

-3-

that a decision has already been taken by them to issue a special postage stamp on 21.10.68 to commemorate the occasion. The Deputy Prime Minister has also seen and approved the Summary.



(S.S. Shiralkar)
Additional Secretary.

To

Cabinet Secretariat,
New Delhi.

-14- 299 ✓

SECRET

- 2 -

Item 15

Case No. 167/40/68.

ISSUE OF NETAJI SUBHASH CHANDRA BOSE
COMMEMORATIVE COIN/COINS ON 21-10-68
ON THE OCCASION OF THE SILVER JUBILEE
OF THE FOUNDING OF THE AZAD HIND
GOVERNMENT.

82-41/68

The Cabinet considered the Summary from the Department of Economic Affairs, Ministry of Finance dated May 17, 1968, on the subject.

The Cabinet noted the decision of the Department of Communications to issue a special postage stamp on October 21, 1968 to commemorate the silver jubilee of the founding of the Azad Hind Government. It was decided that no commemorative coins need be issued on this occasion.

SECRET

'MEHTA'
10 copies.

300

No. 12014//13/2000-NCB.II/IS(D.III) (Vol.V)
Ministry of Home Affairs
Security Division
....

Dated: 23.3.04

To,

Shri P.K. Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry
Netaji Subhas Chandra Bose
'B'Block(Third floor)
11/A Mirza Ghalib Street,
Kolkata-7000087.

Subject: Documents relating to investigation into the circumstances leading to the Death of Netaji Subhas Chandra Bose.

Sir,

I am directed to refer to your letter No.JMCI/Meeting-Proceeding/(Follow UP)/99-2000/48(V)/376 dated 26/12/03 reg. documents of the Cabinet Sectt. indicated at SLNo.2(ii), 2(iii), 2(iv), 2(v), and 2(vi) of Para 2 of the letter No.281/12/1/2000-TS dated 13/11/02 of the Cabinet Sectetariat.

The details of the documents are as follows:-

SL.No.	Document Nos.	File No
2(ii)	Cabinet Note No.1/18/68-Coin dated 17.5.1968 reg. 'Issue of commemorative stamps/coins of Netaji Subhas Chandra Bose on 21.10.1968 on the occasion of the silver jubilee of Azad Hind Government' and the minutes of the Cabinet meeting held on 28.5.1968.	10/22/CF-68
2(iii)	Cabinet Note No.I/12014/9/77-D.III(S&P) dated 17/11/1977 regarding 'Motion in the Lok Sabha by Shri Samar Guha for a fresh inquiry into the disappearance of Netaji Subhas Chandra Bose' and the minutes of the Cabinet meeting held on 8.2.1995.	6/5/9/77-CF
2(iv)	Cabinet Note No.29/48/69-Poll.II dated 18.2.1970 reg. 'Fresh inquiry into the alleged death of Netaji Subhas Chandra Bose - Demand for' and the Minutes of the Cabinet meeting held on 6.3.1970.	10/21/CF-68
2(v)	Cabinet Note No.31/2/74-Poll(D.III) dated 27.8.1974	6/1/6/74-CF

	reg. 'The report of the one-man Commission of Inquiry into the disappearance of Netaji Subhas Chandra Bose' and the minutes of the Cabinet Meeting held on 29.8.1974.	
2(vi)	CCPA note No.I/12014/6/90-IS(D.III) dated 10.1/1991 On 'Dispute reg. ashes of Netaji Subhas Chandra Bose and also controversy about whether Netaji is Dead or still alive' and the minutes of the CCPA meeting held 27.2.1991.	6/5/1/91-TS

In regard to documents indicated at Sl.No.2(ii) it may be stated that this document has been originated from M/o Finance (Deptt. of Economic Affairs) and the reference has already been made to that Deptt. for indicating as to whether the Cabinet Note dated 17/5/1968 has to be continued as classified one or may be declassified. Since no reply has been received from that Deptt. and a 3rd reminder has been sent on 22/3/04 requesting for their early views (a copy of reminder is enclosed), the Commission is accordingly requested that matter may be taken up with that Deptt. directly, *as has been suggested before.*

In regard to documents indicated at Sl.No.2(iii), 2(v) and 2(vi) ~~are concerned~~ it is re-iterated that all these documents are available in this Ministry's 4 files sent to the Commission on 20/12/2000. However the copy of the ~~above~~ Cabinet notes obtained from Cabinet Sectt. are attached herewith as Annexure B, D, E as documents indicated against Sl.No.2(iii), 2(v) and 2(vi) respectively. *them.*

So far as documents indicated at Sl.No.2(iv) is concerned, it may be stated that this Ministry's file No.29/38/69-Pol-II is not available. However a copy of the Cabinet Note dt.18/2/70 on which a Cabinet meeting held on 6/3/70 deciding to appoint One-Man Commission of Inquiry known as Khosla Commission This Commission was appointed in ~~July, 1970~~. This ~~note~~ obtained from the Cabinet Sectt. and is enclosed as Annexure 'C'. *has been*

Yours faithfully,

(UMESH KALRA)
DIRECTOR(S)

un

URGENT

Pl. discuss with
draft reply on
points concerning
MHA

UCD IV.

1-11
29/5

hr. dt. 23.8.07

(a) (1) & (2) (3)
files